

Great Britain  
Commons  
DEBATES

House of

809.2.31

ON THE  
REPORT

OF THE  
COMMITTEE OF SECRET,

IN THE  
HOUSE OF COMMONS,

On the 16th and 17th of May,

AND IN THE

HOUSE OF LORDS,

ON THE 17th AND 19th AND 22d OF THE SAME MONTH, 1794.

ALSO,

THE SPEECH of Mr. BOYD, Member for Chester, and afterwards Lord WARRINGTON, in 1681, on the violent proceedings of the Privy Council, in the Reign of Charles II, quoted by Mr. JEWELL, in his Speech on the 17th May 1794,

AND A

LIST OF THE MINORITY

IN BOTH

HOUSES OF PARLIAMENT,

WHO VOTED AGAINST THE

SUSPENSION OF THE HABEAS CORPUS ACT,

And the Protest of EARL STANHOPE, &c.

IN THE HOUSE OF LORDS.

EDINBURGH:

Printed, and Sold by J. Robertson, No. 4, Horse Wynd, Where may be had a great variety of Books, Pamphlets and Stationary, Important Debates in both Houses of Parliament, the Trials of Messrs. Muir, Palmer, Skirving, Margaret and Gerald, &c. &c.

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DEBATES  
ON THE  
REPORT  
OF THE  
*COMMITTEE of SECRECY.*

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THE CHANCELLOR of the EXCHEQUER brought up the Report of the Secret Committee, which was ordered to be read. It is very voluminous and minute. It contains the substance of all the papers of the Corresponding Societies, and the Society for Constitutional Information; the proceedings they have had, and the correspondence they have held with each other, from London, Manchester, Leeds, Sheffield, Norwich, and various other manufacturing towns in England, and from Edinburgh, and from various parts of Ireland. It takes notice of the different Addresses presented in the name of these Societies by Mr. Frost, Mr. Barlow, and others, at the bar of the National Convention of France, in the month of May, 1791, together with the answer to the addresses. It states that Barrere, Rolland, and other Members of the National Convention of France, appear to have been admitted honorary Members of these Societies; and that many Jacobin principles are highly praised by various resolutions and entries in the books of these Societies, of the rise and progress of which it gives a particular account. It then proceeds to state the nature of the Convention at Edinburgh, its proceedings, the share which those Societies had in forming it, the resolution of address and thanks to Messrs. Muir and Palmer, and to Citizens Skirving, Margarot, Gerrald, &c. together with a determination of the plan they commenced with. It then recites

the resolution of the General Meeting in January last, at the Globe Tavern, signed John Martin, and called *An Address to the People of Great Britain and Ireland*. It then proceeds to state the resolutions of these Societies relative to the proceedings of Parliament on the Hessian Troops; intimating, that if Parliament should suspend the Habeas Corpus act, or proclaim Martial Law, that then a General Convention of the people should be called, signed, John Martin, chairman, and T. Hardy, secretary.—It then proceeds to state the proceedings of the meeting at Chalk Farm, on the 24th of April last, which were printed, and 200,000 copies were ordered to be distributed. The report then states, that from all these things it appeared to the Committee, that the object of these societies was to proceed in contempt of Parliament, and to assume to themselves the power of a legislature, and to introduce into this country the anarchy and confusion which has so fatally prevailed in France. It states, that since the seizing of these papers some proposals had been made for providing arms, and that there had been several meetings of these Societies in the Metropolis, for the purpose, as the Committee understood, of forcibly resisting the bringing the authors and abettors of these proceedings to justice.

The Report being read—

The Report having been gone through, Mr. Pitt rose, and stated to the House, that after their having heard the Report which was just read, they would perceive it was so full in its detail of the several topics which called for their attention, as to preclude all necessity of his troubling them at any great length, rendering it only necessary for him to recapitulate the principal heads of that Report, leaving it to them to adopt such measures as their wisdom should suggest. The Committee of which he had the honour to be a member, had felt the necessity of making a speedy, although an imperfect Report, on account of an intended assemblage of a National Convention; an assemblage, which professed, not merely to address the House of Commons for a Parliamentary Reform, but went boldly to the professed and avowed object of superseding that House of the Representatives of the People, and arrogating to itself their Legislative functions. If the House were convinced, that such a design really existed, they would see there was not a minute to be lost in arming the Executive Government with such additional powers, as would enable

them to stop, in the first instance, an evil, which if suffered to arrive at any head, would be productive of such infinite and extensive mischief, although ultimately unsuccessful. The House would perceive that part of the Report was merely introductory; the general question however, which they would keep in view was the leading and marked design which those Societies have had all along in view; they would recollect that the papers which they had just heard read, referred to the transactions of those Societies for upwards of two years past. By these they would perceive, that the Corresponding Society in disseminating throughout the kingdom certain publications, and setting on foot the plan of a General Convention, demonstrated the adoption of principles which were to be the ground of action the very moment opportunity should present itself—principles which had spread desolation and horror over a neighbouring kingdom, and nearly endangered the safety, and tranquillity of almost every state in Europe. Though they might be said, and truly so, to be insignificant and contemptible in their nature and characters, yet, when those principles were adopted, and endeavoured to be spread throughout the ignorant or discontented part of the community, it behoved them to guard against them.

To these principles followed practical comments, which deserved very particular notice.—They would observe that the Society, as long as the continuance of peace permitted it, had corresponded with the existing powers in France.—Addressees had been presented at the bar of the National Convention, by two of their Members delegated for that purpose; and the answer of the President of that Assembly, was recorded on their Journals. Shut out by the commencement of hostilities from this resource, we find them turning their attention to the propagation of their plans among the indigent and lowest orders of mankind throughout the country, but more particularly among the manufacturing towns, and endeavouring to mislead them by exciting discontents against the existing Government, or as they were pleased to term it, the tyranny of the country. This design we see sometimes publicly and explicitly avowed, as they felt themselves bold, or as they conceived it would further their designs: at other times cloaked and guarded under the cobweb covering of a regard for the constitution, and an affected attention to its interest and preservation. From their own books we find them, above a year ago, making

a plain confession of their object, when in the circular address to the Societies of Norwich, and other manufacturing towns, they fairly state, that it is not to parliament they were to complain, or look for redress, but to what they term a Convention of the People of Great Britain; yet subsequent to this they affected to petition that House, not certainly by their own account, with any substantial expectation of redress to the evils they affect to complain of, but for the obvious purpose of gaining the support of those whom they considered as necessary to their designs.

Happily for this country, and the world in general, they had conceived the moment arrived when those designs should be carried into execution, while the great bulk of that House, and of the Nation at large, were convinced of the necessity of opposing them. These designs were also to be traced in their communications with the British Convention, held at Edinburgh; a Meeting, which attempted to spread a flimsy covering over its real object; but which, by its language, evinced their apparent designs to be hypocritical.

With that Society they corresponded, and even after its dispersion, and the conviction of several of its Members, they were lavish in their praises; and, to use their own words, they considered their punishment as a signal, and bringing the matter to issue, by exciting the discussion how far force ought to be employed to resist the legal Administration, or as they affected to call it, the tyranny of the country. What he had hitherto stated to the House, might, in some degree, be considered as referring to the introductory part of the report; and yet so strong were the circumstances, and the inducements which called upon the House to take some immediate steps on the present crisis, that were nothing more to be offered, he was persuaded they would readily be brought to immediate decision; but he had still to state to them the history of another Society (the London Corresponding Society,) which, though it might be thought contemptible, from the degraded description of the Members of which it was composed, was, however, not a little dangerous, from that spirit of robbery and confusion which they endeavoured to create, under a semblance of Liberty. Tracing this Society from the commencement of its existence, about two years ago, to the present hour, it would be found to be rapidly encreasing—consisting but of few and obscure individuals at first, it had, by subdividing itself into



divisions, and they multiplying each other, encreased to thirty divisions, which met sometimes separately, sometimes in a body, and which, besides, communicated by a Committee, consisting of one Member of each division.—This Society was busily employed in corresponding with Societies composed of the populace in all the manufacturing towns throughout the kingdom. At the commencement of the present Session of Parliament, it professed boldly a design to watch over the proceedings of that House, for which purpose it declared its Sittings to be from day to day, and declared its determination, if they should adopt any measures which should be deemed by the Society to be improper, to sound the alarm throughout the kingdom—that if they should adopt any measure to prevent the meeting of the intended Convention, such an attempt should be the signal for its assembling. Such was the language held out by them—yet, though it might seem to be dictated by madness itself, particularly from the utter contemptibility of the authors of it, it appeared evident to be a settled and fixed design, which their vigilance alone could prevent. But now came a new era, which seemed intended to consummate the whole. This took place about six weeks ago.

At this period the London Corresponding Society, as appear from their own books and journals, laid before the Constitutional Society, a plan for actually and speedily assembling the projected Convention. Previous to this, however, a circular letter was industriously dispersed throughout the kingdom, in which it was stated, that no time was to be lost in carrying that measure into execution; that the period was now arrived in which their effort was to be made, if ever—and even the place most central for the purpose, named, where it would be adviseable to call the meeting. It was on the 27th of March, that communication was made to the Constitutional Society, accompanied by such resolutions as plainly exhibited the avowed object of the pretended Convention, which, while they affected to talk of freedom of election, and universal suffrage, could be composed only of delegates of those Societies; and which representing so degraded and insignificant a minority of the country, aimed at ruling over, or rather annihilating all the property and all the respectability throughout the kingdom. This communication from one master society to the other, we find received with applause, and adopted with the most decided approbation.

On the 14th of April, a meeting was held of the Corresponding Society, (at Chalk Farm), at which they hardly affected to disguise their intention of deposing the king, abused the House of Peers as an useless assembly, and reviled the House of Commons, disclaiming their being the Representatives of the People: at which they passed resolutions, declaring, that a measure then before the House (the Voluntary Contributions) was illegal, with or without the consent of Parliament—and preaching up the safety of the People to be the supreme law—and the right of resisting Oppression—holding up what they were pleased to denominate "Oppression in the Administration of the Constituted Authorities of the Country."

Thus we find their designs from long experience, gradually developing themselves to the present extremity; and which called upon them to do their duty, and by boldly meeting, prevent the mischief, rather than be obliged to quell it. He was confident the good sense, and the native energies of the Constitution, were such, that even if the Government or parliament were to neglect their duty, no greater danger was to be apprehended than the present attempts indicated, although even their failure would be a disgrace to us, if we were to neglect every timely preventative.

With respect to the remaining part of the Report, although the Committee were as yet unable to investigate the subject fully, yet it already appeared, that a serious design was in agitation to furnish arms to such as were found favourable to their cause.

Upon the whole of the circumstances, as disclosed in the Report, it remained for that House to determine what measures were fit to be pursued, there have been conspiracies formidable for their strength, and dangerous from their principles, but never any so formidable in every sense of view. The present enquiry was not complete, but the Committee had done their duty to enable the House to judge whether it was not fit to adopt some temporary measures in the interim. In past times of danger it has been thought fitting to suspend laws which are essentially necessary to the permanent existence of the Constitution, but which it has been found equally necessary to suspend, according to the exigence of the times. At the present crisis, when treasonable attempts were prevalent in every corner of the kingdom, such a measure was, if ever, now most necessary.

Such were his decided sentiments, and not his only, but those

who with him had opportunity of informing themselves of facts. He apologized for troubling the House so long, and concluded with moving, " That leave be given to bring in a Bill to enable his Majesty to secure and detain such persons as shall be suspected to conspire against his Majesty's person and Government."

Mr. Fox said, that, however unpleasant it was for him to attend to day in the House, on account of his indisposition, he thought it his duty to do so, on being told that the Report of the Committee of Secrecy was to be made to-day, for in the course of it he expected to have heard something new, and such as called for the immediate attention of the House. He attended, as well as he was able, to the report as it was read, and he must confess he was never more surprised in his life, than that those who formed the Report—men of such talents and character should have thought it necessary to recommend so sudden, so violent, so alarming a remedy as that which was now proposed, and that, upon facts that were, all of them, notorious for years. He was aware there was some part of it which stated something new; but of that he should say something presently. He was surprised, however, that the Committee was to call the attention of the House so solemnly for the purpose of telling them that two years ago a Society came to certain Resolutions, which were published in every newspaper in the kingdom. To tell the House in a pompous, public, formal manner, what was presented to the National Convention of France, and what answer was given—To inform the House in detail what Administration had seen passing before them day after day, and now to call on the House for its immediate consideration of the probable effect of such events, and of the necessity of putting an end by the most violent of all means, to what had thus so long been suffered to pass by in silence. But however the Report was not a mere report of these stale, ridiculous, contemptible facts; but it stated also an inference arising out of these facts. He could not arrive so readily as the Minister at his conclusion upon these points, taking them all to be exactly as they were related.—He begged leave to differ from him and from the whole of the Committee upon that subject:—he thought the inference of the Committee was unfair;—he would go further, he thought that taking, for the sake of argument, the inference to be fair, that would not warrant the measure now proposed. He should not

go into the question whether these persons were acting consistently or not, that was not matter for consideration now: he would say that through the whole course of the business they were wishing for a Convention, for the purpose of legally obtaining a Parliamentary Reform. The Convention at Edinburgh was taken notice of; that Convention, in all its proceedings published in the newspapers, had uniformly stated their views to be not to oppose the power of Government, but to seek redress of grievances. Now, with regard to a Convention of that sort, was the Minister prepared to say they were seditious. He did not know that the present Minister was a member of any former Convention, but Mr. Fox said that he was, in the year 1780; they were chosen as delegates, and had several meetings in London and Westminster afterwards; and if that was illegal, all he could say was, they carried on their proceedings with great impudence, for they went on in the most public manner, and they held correspondence publicly with other Societies in Yorkshire and other places; they presented the result of their labours to the House; the House said they could not recognize them in such a character as delegates, but said that they all had a right to petition for themselves, and therefore received their petition. He said this merely to shew that such a Convention was legal; never till lately was such a measure thought either against the letter or the spirit of the Constitution. If it was illegal, the Minister had been scandalously negligent, and so had many others; a scandalous negligence must have attended the obtaining of a free Constitution for Ireland—A scandalous negligence could alone have suffered the Roman Catholics of Ireland to have what was lately granted to them, for it was by a Convention they obtained what they had lost—His Majesty received them in that capacity, and granted their request. It was happy for them, and happy for a great part of the rest of the world, that such an event happened. His majesty received them with that benignity which belonged to his character—but would it be contended with him, that the Roman Catholics would have had this, if it had not been for the Convention; that they got it by any thing but the Convention of these delegates? “Upon my word, Sir,” said Mr. Fox, “I know what extraordinary things are attempted by those who are supported by great numbers.—Look to the rejection of the Roman Catholic Petition: in their first



application to Parliament there were only about five-and-twenty in their favour, and see how they were received the next year, when they were so supported, and when appointed a Convention by delegates! After this will any man tell me he has a doubt what brought this about. But am I saying that the proposed Convention in the present case would be meritorious?—No such thing! I am giving no opinion upon that subject; I only say it would be dangerous for this House to declare their illegality." There was not, he said, any other charge against these persons than that they might make an attempt to alter the form of Parliament of their own authority; now he would ask if any gentleman was prepared to say, that this very Convention would not apply to Parliament for a Parliamentary Reform?

With respect to the number of these persons, he really believed that it was not very considerable: that they had increased since their first formation, he had no doubt; for it would be strange indeed if the measures of Administration had not occasioned any dissatisfaction in the Country; that would be wonderful in our history. He would go further, for he would not be intimidated; many internal circumstances; many things had taken place to which he should never subscribe: the punishments lately inflicted in Scotland were of that nature; he did not agree with any of these things—on the contrary, he agreed with those who thought these proceedings an abuse of the power of Government, an abuse of law—an abuse of justice—an outrage to humanity, and must tend to alarm every man in England who had the least esteem for the principles of liberty, for if these proceedings should become general, there was an end of all liberty.

With regard to the nature of the Convention which had been so much talked of, he must make one observation—If the Minister meant such a one as he stated, or as he pretended to mean, it was perfectly ridiculous; the idea of these persons assuming the authority of Government, was so contemptible and ridiculous, that Bedlam was the only receptacle that was fit for them: to pretend alarm therefore on that account must be gross affectation. Suppose one hundred of these persons were to issue the orders of a Government. Was there one hundred in the kingdom that would obey them?—But he should suppose this Convention assembled by Mr. Hardy and Mr. Adams, and that they should have the views ascribed to them, he would then say that.

the measure now proposed was of infinitely greater mischief to the people than that which it proposed to remedy; were the House aware of the extent of this measure? it was no less than giving to the executive authority absolute power over the personal liberty of every individual in the kingdom—It might be said that Ministers would not abuse that power, “upon my word, Sir,” said Mr. Fox, “I do not feel myself very comfortable under that reflection; every man who talks freely, every man who detests, as I do from my heart, this war, may be, and will be, in the hands and at the mercy of Ministers. Living under such a Government, and being subject to insurrection, comparing the two evils I confess I think the evil you are pretending to remedy, is less than the one you are going to inflict by the remedy itself. You are going to give up the very best part of your Constitution and that which every man is entitled to do, and which I am now doing, delivering the sentiments of my heart, upon the affairs of Government for the benefit of the public, will be at an end at once. May I not then say here is an end of the Constitution of England!”

But was there any instance, on such an occasion, of such a measure?—It was done in the reign of King William. Was that similar to the present reign? It was done in the time of the rebellions in 1715 and 1745.—Were the circumstances then similar to the present?—At that time there was an army in the kingdom in favour of a Popish Prince, claiming a right to the throne; and that too, if we were to credit report, at a time when the people were a good deal divided in opinion, as to the propriety of the succession of the House of Hanover. Was there any such prince now;—were there any such circumstances now?—Nothing like it: here were a number of individuals without arms, without means of any kind whatever, talking of a Reform in Parliament. These being the circumstances, he must say, that House would betray their duty to the Constitution, if they agreed to this measure. Having said this, he had but one thing more to submit—If this business was to be proceeded in, there should be a call of the House upon it; the danger, supposing any to exist, which he did not believe, was nothing when put into comparison with the mighty sacrifice proposed by the measure. He saw this motion in so dreadful a point of view, that he should not think himself doing any thing but betraying

his constituents and the public, if he did not oppose it in every stage, for by this measure the whole personal freedom of every man in the kingdom was to be given up to the Minister.

Mr. M. ROBINSON reprobated the measure as unfounded and impolitic, and thought that Ministers were carrying things too far. One Right Hon. Gentleman, (Mr. Wyndham), whose conduct in that House had entitled him to respect in general, had gone so far as to say, that the Laws of this country should be brought to the standard of the Scotch Laws, a proposition which every honest and independent man, who retained the slightest regard for the freedom or happiness of his country ought to reprobate?

Mr. MARTIN professed himself dissatisfied with the Report, when compared with the mighty sacrifice proposed. He was attached to the Constitution, and thought that any person who attempted to destroy it, ought to be punished; but he could not consent to the entire surrender of the liberty of every man in the kingdom upon so trifling an excuse.

Mr. LAWSON said, that on a question of such magnitude, it was impossible for any Member of Parliament who considered his duty to his constituents to give a silent vote. Before a measure of such consequence was proposed, he believed there was not a member of the House who would not have expected that some sort of grounds would be given for bringing it forward. He had attended as closely as possible to the Report, and found that it contained nothing new, nothing that had not been known and seen in all the public newspapers for the last four years. He thought it rather extraordinary that so strong a measure should be introduced upon grounds, which, if they are at all worthy of notice, ought to have been noticed long ago, and found it his indispensable duty to give his negative to the present motion.

Mr. HARRISON said he agreed in the opinions of his Hon. Friend on the same side of the House, and saw nothing in the Report that justified so extraordinary a measure as the suspension of the Habeas Corpus Act, which every well-wisher to his country must consider as the palladium of British liberty. If, however, leave was given to bring in the Bill moved for, there were two things which he thought it would be absolutely necessary to move—two clauses—the one was, that while the suspension of the Habeas Corpus Act continued, the House should continue to sit; and the other, that an account should be rendered by the Executive Go-

vernment, to that House, of all persons apprehended and confined under this Bill, because it would give to the Ministers the power of throwing in jail, and detaining any person whom they might incline to distress; and that upon any supposed reason or pretext, that they chose to allege, or make use of. With regard to the Report, it certainly contained nothing but what had been publicly known long before, except one point which the Right Hon. Gentleman had stated, he meant the idea that those people who were to form the Convention had been providing arms, and were nearly ready to use them to enforce illegal purposes. If this was really the case, of which, however, no proof was offered, it was of itself an overt act of treason; and surely there were existing laws in the country to find a suitable punishment for such an heinous offence. For these reasons, and from every consideration of the subject, and of the Report, which he had time to examine, he was clearly of opinion that he would be doing an injustice to himself, and deviating from his duty, as a Member of Parliament, and his duty to his Constituents, were he to suffer so great an infringement on the liberties of the subject, upon such frivolous pretences, pass unnoticed; he would therefore give his decided negative to the motion, unless something very different from what he had yet heard could be brought forward.

Mr. BURDEN defended the measure, and though he admitted the Report to be incomplete, and that it perhaps might appear to some insufficient to warrant so strong a measure, yet so much was he convinced of its propriety, that, as a first step towards a necessary and salutary measure, it would have his support.

Mr. GREY said, it was impossible for him to give a silent vote upon so important a question, and though it was not his intention to go into it at much length, particularly after the able manner in which it had been treated by his Right Honourable Friend, still when a question came to be agitated, that tended to deliver over the personal liberty, the property, and perhaps the lives of the subjects to the power and will of the Executive Government, it became every man's duty in that House to resist such a measure, especially when those who brought it forward had advanced no proofs of any sort that could make it appear a measure of necessity, policy or expediency. He certainly could not agree with the Honourable Gentleman who spoke last, that this as a first step was to be justified or supported, and he might fairly argue from



the Hon. Gentleman's own words, that this Report, this notable compilation, which had been read, was so incomplete and so little satisfactory, as not to justify any proceeding upon it, far less such a bill as that moved for. It was not his wish to enter at large upon the question before the House; he had not expected it, and there would certainly be other stages of the Bill on which he and others, who were not then present, might find it necessary to go into a much fuller and more particular discussion of it. It was therefore his intention, as soon as the present question was disposed of, to move that the House should be called over, that those who knew nothing of what was to happen that day, might have an opportunity of attending in their places and giving their votes—the only way of shewing their attention to their constituents and the people of England, upon a question the most important, and the most alarming, that could be agitated in that House, and where there best and dearest interests were so much at stake. Another thing which he meant to propose was, that the Report should be printed, and to neither of those did he think that any well grounded objection could be offered. With regard to the Report itself, he expressed as much astonishment as his Honourable Friends, when he thought for a moment of its contents, and was never more surprised in his life time, than by the proceedings of that day. It was only late last night, when he heard by accident that a Report from the Committee of Secrecy was to be made that day. It had been his intention to leave town that morning to attend a business which he felt to be of very great importance indeed, and at a distance from town, but when he found that a question of the magnitude and importance which that was, and in which were involved the personal liberty of the subjects, and the most valuable rights of the people of England, he was compelled by the strongest impulse of duty to his Constituents, and as a Member of Parliament, to attend in his place at a time when nothing but such a sense of duty could have induced him to absent himself from another place, where he had the most earnest wish to be present. He expressed his great surprize that any measure, of any sort, could be founded on those trumpery papers alluded to in the Report, all of which had been published long ago, and if worthy of notice ought to have been attended to last year, when at the meeting of Parliament there seemed to some gentlemen to be so much cause for alarm. He concluded with

observing, as he had done last year, that it was observable in that House, that those who were most violent in their declamations against the proceedings of France, were the most servile in their imitations of them, and nothing could be a stronger proof of this than the whole conduct of Ministers for the two last years.

Mr. WIELER thought there were sufficient grounds in the Report, and in the Message from the Throne, to convince the House of the propriety of bringing in such a Bill as that moved for, and would therefore give his support to the motion.

Mr. JAKYL replied to the last speaker, and expressed his very great astonishment that the Report which had just been read contained nothing in fact or in substance that had not been published long ago, and ought to have been noticed at the time, if worthy of notice now; and if there was any reason that could be given for resisting his Hon. Friend's wish, that it might be printed, it must be that all it contained had been printed and published already. His surprize was considerably increased, when he knew the respectable and Honourable Gentlemen who composed the Committee, and from whom some Report of a very different nature might have been expected; but it seemed they had proceeded more upon an idea of panic and alarm than any other. There were some of them, indeed, who had been originally Alarmists, but it looked as if those who had not taken the alarm in a natural way, had been inoculated by the company they had kept; and when the House attended to the mouse which this mountain had produced, he believed there was not a man in it who would not say with him, that the Minister had brought forward one of the most violent, destructive, and daring measures that he could have done, upon grounds the most miserable, flimsy, and ridiculous that ever were heard of. He justified his own conduct in every interference he had taken since the commencement of the disturbances in France, and the alarms in this country, and referred to the words of a Noble Friend of his (Earl Wycombe), on a former night, that if there was guilt it ought to be punished, if there was imprudence, it ought to be exposed; but at the same time improper insinuations ought to be avoided, misrepresentation prevented, and calumnies refuted. As to the effect of that night's proceeding, and the absurdity of the grounds upon which it originated he would only say that if the Minister had been paid by the enemies of this country, he could not have held

out better hopes to them, or given them more real satisfaction than his conduct that night must do. In addition to the news of the defeat of Clairfayt, which they would receive about this time, he doubted they would not be more pleased as enemies to this country, to see the Minister's statement, that the people of England were disaffected to their government, and suspected so far that it became necessary to follow up the French practice, and institute a Committee of Secrecy, of Public Safety, or any thing else that they chose to call it. This, he was assured, would be a matter of much satisfaction to the enemies of the country. He then concluded his opposition to the motion by stating, that the conduct and measures of Administration for some time past had tended to put an end to public and private confidence, and destroy that happiness and harmony in society which used to be the characteristics of British subjects. *There was a general cry of question! question!—when*

Mr. SHERIDAN rose; he said he had waited with much attention and expectation to hear some argument used, finding the Report so perfectly destitute of any grounds for such a measure; but at last saw that it was not the intention of the other side to bring forward any thing like a shadow of reason that could account for their conduct. This was a question, however, of such magnitude, that he should think it criminal in him to give a silent vote upon it. Before he proceeded farther, some notice was due to that extreme impatience for the question which the Minister and his friends evinced, an impatience and a manner of expressing it, which he would not hesitate to say was completely indecent; yet, while liberty of speech, and liberty of parliamentary proceeding in that House remained, and he did not believe it could long remain, if such a Bill passed, he would never so far forget his duty to the country, as to allow it to pass in silence; however much it might be the wish of Ministers to hurry the measure through the House, a measure, which, to use the language of his learned Friend, was one of the most daring, most abominable, and most unprecedented that had ever been offered to the consideration of a British House of Commons. He held the Minister's attack upon the people of Great Britain to be unfounded, unjust, and impolitic, in the highest degree, by falsely telling to the French that the people of this country were so much disaffected and suspected, as to make the most harsh measures ne-

cessary to restrain their proceedings against the Government. With regard to the report which had been so well and so justly described by his Honourable Friends, he must say, that the moment it was produced, the hours it was debated, when once it came to the knowledge of the people, must appear to them to be hours of joy and congratulation, and was so in reality. For after all the great exertions and great talents of this Committee of Public Safety, instigated as they were by the most tremendous alarms that had ever frightened any country, what had they to shew to the country as a vindication of their conduct, and the fruits of their alarms? What was to be found in the famous report of the *British Barrers*?—Shortly this—a number of copies of idle papers that had been printed, published, and circulated, some of them for the last two years, and all of them before the commencement of the last Session of Parliament. Why, he would ask, had they not been prosecuted at the time they appeared? Why did not the Attorney General prosecute upon the paper signed by Martin, which he thought, of all others, contained the most criminal matter? One thing, and only one, had been started that was any thing like new, and that was, that these Societies had been providing arms; this by the way remained merely as an assertion, for no proof had been given to the House, even on that head; but if it really was so, or if any such treasonable practices existed in the country, were there not laws by which such guilty persons might be brought to adequate and condign punishment.—He for one believed that no such practices existed in the country, and that Ministers and their friends knew this to be the case, but it was necessary for them and for their views, to keep up, or rather create, some new cause of panic to gain that continuance of power over the people, which seemed to be so much the object of their wishes. He believed most firmly that this measure was founded upon a conviction on the minds of those who introduced and supported it, that no such practices existed at all, in this country, that could produce any alarm that made this proposal for putting the liberty and the propriety of all the people, of Great Britain, at the discretion of the Executive Government, a power which never had been, nor ought to be given, except in times of actual rebellion, or imminent and manifest danger, which none would be hardy enough to say was the case at present. It was somewhat singu-



lar of all the great men who composed that Committee, and he had a very great respect for the characters and abilities of many of them, none of them had come forward in defence of this measure, or to state grounds for it, except the Chairman.—The principle argument which he had used, went to prove the illegality of Conventions, but certainly he could not be serious in using such an argument; there had been many conventions in this Country, Scotland, and Ireland, for different purposes, and none of them had ever been thought illegal. He had belonged to some, and he believed the Right Hon. Gentlemen had, he was sure the Duke of Richmond did, and though they were for the purpose of Parliamentary Reform, the avowed purpose of those Societies, they held their Conventions in the Guildhall of London, with the leave of the Lord Mayor of that city, with clerks and other attendants from the Mansion-House, at their command, and from thence they published their Proceedings and Resolutions. In Scotland, a Convention had been held for a reform in the County Elections, and a Learned Gentleman, (Lord Advocate) whom he hoped was in his place, presided at that Meeting, and gave it the name of Convention. In Ireland it was by a Convention that the Roman Catholics had obtained that which was denied them by using every other mode of proceeding that could be thought of, but in none of those instances had Conventions been thought illegal. With regard to the discretion of those who were to be entrusted with the extraordinary power, which a suspension of the Habeas Corpus Act would put into the hands of the Executive Government, it had been said that there was no danger of its being abused or perverted to improper purposes. On this point he differed widely, and had a right to refuse it, because having that day seen the frivolous pretexts upon which this bold and dangerous measure was founded, there was good reason to suppose that if they had the power to detain persons suspected, they would be very apt to proceed upon suspicions equally frivolous. Besides, as it had been very properly said, if they once get the power, there may be foul play, and men may be confined upon no other grounds than being hostile to the measures of administration; nor could any man in or out of that House be safe, if they were inclined to misrepresent or distress him. He was warranted in this argument by the calumnies that were daily circulated against him, and others, in

newspapers, almost avowedly employed by Ministers for such detestable purposes. He despised such calumnies as much as any man could do, and defied, or rather called upon any one who could do it, to come forward with any charge against him, similar to those that were insinuated in these low and disgraceful attacks upon individuals. Where guilt could be charged and made out, let the broad axe fall : but however much he held in contempt those scurrilous misrepresentations, it might not be amiss if Gentlemen in office would pay some attention to the characters of individual Members of that House, and they ought not at any rate to encourage such disgraceful conduct in those who were supposed to be under their controul and direction. This, he thought, was not worthy the attention of the Attorney General ; at the same time, he would say, that he never considered Gentlemen in Administration so mean or base as to promote such conduct in their newspapers ; and it certainly, therefore, did them no honour to countenance it. The Right Hon. Gentleman had not endeavoured to lay much stress upon precedents, and it was as well for him that he did not, for he could not have produced any that would bear him out—that during the American war was not to be applied ; the Bill then proposed went only to affect persons coming from America to this country at a time when danger was to be apprehended from them. In his opinion it would have been better in the present instance to have made the bill to affect every person that belonged to any Society for carrying through any political purpose, than to have subjected every man in Britain to the absolute and despotic power which this measure will put in the hands of the King and his Ministers. Another thing was to be observed, that no limited time was stated for the duration of this suspension of the laws of the country. He contended with much strength of argument and sound reasoning against the whole proceeding. He said it was impossible if this Bill passed, to satisfy the public that many of the people who brought out those seditious and improper publications, were not suborned, and employed for the very purpose of exciting and carrying on this system of alarm and pretended danger, and concluded by saying, that if it was attempted to carry this Bill through both Houses of Parliament, with any extraordinary degree of expedition or precipitation, he would not hesitate to say, that any Mi-

nister who, would, under such circumstances, advise his Majesty to pass it, deserved to lose his head.

The CHANCELLOR of the EXCHEQUER said, that if a Bill of this sort was necessary, it certainly was equally necessary to carry it through with as much expedition as possible, and intimated that if the House allowed it to be presented, it was his intention that it should be read a second time, committed and reported that night, read a third time and carried to the Lords to-morrow. Mr. Sheridan and Mr. Pitt said each a few words in explanation.

Mr. BURKE made a speech of considerable length in favour of the motion. He animadverted upon Mr. Sheridan's magnanimity in despising newspaper calumnies, and never prosecuting them at the time, wishing to transfer that task to the Attorney General *ex officio*, and was afraid that this would not be much liked by those who are friends to the liberty of the press. He noticed what had been said of the Bill for suspending the Habeas Corpus Act, during the American war, and thought if his memory did not fail very much from his acquaintance with Indian witnesses, his arguments at that time were diametrically opposite to the Hon. Gentleman's that day. He was so much against the Bill including a certain description of persons, that he had said the laws of the country must exist to all or be suspended to all. As to what had been said about conventions, it was not the words convention or delegates that he cared about; but the evident and systematic views which these people had shewn to subvert the Constitution of this and every other country in Europe. He contended that a Reform of Parliament had long been the pretext of those clubs and societies, but never any thing but a pretext, to cover their treasonable and seditious intentions, and they had found it a successful one when their views were to destroy men or established systems; and their wish now clearly was to Jacobinise this country, and introduce the fatal systems which had ruined France. He agreed that every man who was not of this opinion would be criminal in voting for the present Bill.—He likewise granted, that all these things contained in the Report were known before, but yet it was necessary not to prosecute them at the time, for there was a certain degree of ripeness necessary in all crimes, before punishment could be inflicted with effect, and to that ripeness the present practices had been fully

proved to arrive. It was a bad argument to say, that because they were obscure persons, they were not to be dreaded, for it was well known that the greatest mischiefs had often occurred from those of that description. And in all commotions if those obscure persons were suffered to gain strength, there were always people of higher rank who would readily employ an army of this sort, ready made to their wishes. He then recurred to the proceedings of the Revolutionary Society, and read several extracts from a book of their own, which he condemned in the strongest terms. He asserted, that during the former times, when a suspension of the Habeas Corpus Act had taken place, the liberty of speech and parliamentary discussion flourished more than at any other period. Having gone over a variety of topics, he concluded by giving his hearty assent to the Bill—a wise and politic measure, fully justified by the emergency of the case.

Mr. SHERIDAN begged to set the Hon. Gentleman right on one point. He had never said that he despised newspapers, but the calumnies that had been thrown out against him in a particular paper, supposed to be under the immediate direction of Government; neither had he requested that the Attorney General might prosecute on his account.

THE ATTORNEY GENERAL made a long speech for the motion, but was so much indisposed by hoarseness that it was impossible to collect so much of his speech in the gallery as to offer any accurate detail of it. He was surprised that Gentlemen saw nothing new in the report that pointed out the necessity for this measure which had his warmest concurrence, from the information he had obtained in the Committee of Secrecy. He seemed to think himself unfairly treated in the manner in which the public prosecutions, since he was in office, had been argued by Gentlemen on the other side, and recapitulated many of the arguments that had been used respecting the propriety and necessity of the measure to preserve those inestimable blessings which were enjoyed under the British Constitution.

Mr. Fox explained.—He said, he certainly had disapproved of many of the prosecutions as contrary to law, and to all Constitutional principles. It was not necessary for him to say, if he meant or when he might bring them before the wisdom of Parliament, but certainly he would not hesitate to mention some that he thought were well worthy of their notice—First, those which had taken



place in another part of the country ;—then the prosecutions of Mr. Walker, at Manchester ; Mr. Philips, at Lancaster ; Rev. Mr. Winterbotham, and all the others that were carried on for words slightly spoken. There was another, where he would not be supposed to have any partiality for the party concerned, he meant Frost's trial, the proceedings on the whole of which he considered to be illegal.

The ATTORNEY GENERAL, and Mr. WIGLEY, recorder for Leicester, said each, that when these questions were brought on, they would be ready to meet the Right Hon. Gentleman.

The House then divided. For bringing in of the Bill,

Ayes, 201.—Noes, 39.

Mr. GREY rose to move a call of the House, that Gentlemen might have time to consider a proposition, of which, till that day, none but the friends of the Minister had the least notice, and that those who living out of town could have had no notice whatever, might have an opportunity of attending.

The CHANCELLOR of the EXCHEQUER expressed his surprise at the indiscretion of a motion, the only tendency of which must be to defeat the object of the Bill. What fuller attendance could the Honourable Gentleman expect, unless he estimated the number of Members present from the small Minority in which he had just voted ?

Mr. Fox said, that instead of the lofty tone assumed by the Right Honourable Gentleman, a tone of humility and contrition would have much better become him, since by him had been conducted the measures which had reduced the country to the deplorable situation of having recourse to such a measure. He would challenge any Member of the Secret Committee to say, that he knew of any intention in any part of the country to rise in arms ; and if none of them could answer in the affirmative, no danger would be incurred by allowing the usual and necessary time for discussion.

Mr. GREY replied in very animated terms to some allusions made to him by the Chancellor of the Exchequer. The Right Honourable Gentleman's haughtiness was perhaps more than usually instigated by the near prospect of the extraordinary and almost unlimited power which the Bill was to put into his hands. He had always admired the great talents of the Right Honourable Gentleman ; but when talents were not directed to honest and ho-

nourable ends, he could afford them neither applause nor esteem.

The House divided on Mr. Grey's Motion,

Ayes, 32.—Noes, 201.

After this division, strangers were not admitted into the Gallery; but we learn that——

Mr. GAY declared, if the proposed mode of hurrying the Bill through the House was persisted in, he should do what he must have felt it his duty to do if it had been debated in the usual manner, viz. divide the House upon every stage of it.

The Bill was brought in, read a first and second time, committed, and gone through in the Committee; in the course of which eight divisions took place in the House, and five in the Committee.

On the motion that the Report be now received, the House again divided,

Ayes, 108.—Noes, 13.

The Report was brought up and agreed to, and the Bill ordered to be read a third time this day.

At half an hour past three in the morning adjourned till four in the afternoon.

Mr. Fox went away about one o'clock, apparently much exhausted by the exertion which the unexpected emergence had called upon him to make in a state of indisposition.

*List of the Minority who voted against the suspension of the Habeas Corpus Act, on the Report of the Secret Committee.*

Fox, C. J.	Whitbread, S. jun.	Martin, James
Maitland, Hon. T.	Lambton, Henry	Wharton, John
Howard, Henry	Tarleton, Colonel	Curwen, J. C.
Hussey, William	Courtenay, John	Rawdon, Hon. John
Jekyll, Joseph	Burch, J. K.	Anbrey, Sir John
Smith, William	Bouverie, Edward	Church, J. B.
Baring, Sir Francis	St. John, St. Andrew	Western C. C.
Wycombe, Earl	Millner, R. S.	Dundas, Sir Thomas
Harrison, John	Wintington, Sir Edward	Pelham, C. A.
North, Dudley	Phillips, J. G.	Cavendish, Lord G. H.
Sturt, Charles	Spencer, Lord Robert	Thompson, Thomas
Plumer, William	Vaughan, Benjamin	Howel, David
Antonie, Lee	Byng, George	Taylor, M. A.

TELLERS.

Sheridan, R. B.

Grey, Charles

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## HOUSE OF COMMONS,

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MAY 17.

ABOUT half an hour after four o'clock, the order of the day being called for,

MR. SHERIDAN said, it was yesterday understood from the Minister himself, that this business was to be brought forward, and precisely at four o'clock this day: he saw no reason why the House should wait for him, especially as he had been in the House, and had quitted it. Perhaps he was now taking a walk for his amusement, but that was not a reason for the House to wait; and as those who disapproved of the Bill openly professed to wish for delay, for the purpose of affording to the public an opportunity of knowing the nature of this most alarming measure, he should, without any further hesitation, move, "That this House do now adjourn."

MR. FRANCIS seconded the motion, and said that he did so for one reason, which was personal to himself, as well as for others of more importance—That not having had the smallest notice of a design to bring in so suddenly, and to carry through so rapidly a Bill of such consequence as that which was now before the House; and not having conceived it possible that such a Bill could be so proposed and hurried, without giving gentlemen a single day's time to read and consider the Report of the Secret Committee; he had unfortunately been absent yesterday, and therefore he very much wished for a delay till Monday next, on his own account. But he wished for it much more on account of the nature of the business, and the consequences which might follow to the nation, if such a business was precipitately concluded. He confessed that he was but imperfectly informed on the subject; but as far as the information went, which he had been able to obtain, the object of the measure in question was, in substance and effect, to set aside the Constitution by an Act of the Legislature. They, who thought that such a question was serious and important, would allow that it ought not to be carried through without some pause and deliberation; and, on the other hand, he did not see how they, who thought the business of so little moment, as not to be

worth their attendance at the hour which they themselves had appointed, could think it worth their while to object to the adjournment.

Mr. CANNING said he understood that his Right Honourable Friend had gone away on very particular business, on which he might be detained for some time; and that he was obliged to attend to superior engagements.

Mr. SHERIDAN reprobated, in the severest terms, the idea that any Member should have any engagements that were superior to attending his duty in that House; the apology was the most extraordinary he ever heard offered to that House for any Member of it, for his absence.

Mr. CANNING explained.

Mr. ROSE opposed the motion in a speech of considerable length, in which he quoted precedents from the Journals of the House, and desired that they might be read, in order to shew that this was a measure sanctioned by precedents, and particularly that of the year 1745, which being done,

Mr. COURTENAY ridiculed the idea of the Minister's superior engagements. Perhaps he had got some lady to meet, and therefore he should give him three quarters of an hour.

Lord WYCOMBE thought also that the apology for the Minister's absence was highly indecorous: he wished to know what superior engagements any Member of that House could have, to that of attending his duty in it, especially on an occasion so important as the present: there seemed to him to be in the House, on this and some other occasions, with regard to the negligence of the Minister, a forbearance bordering on torpor: he could not consent to so flagrant a violation of public duty as to wait, for any great length of time, for the appearance of any individual: he should therefore vote for the adjournment.

Mr. BUXTON thought that this subject was too important to be delayed by a question of adjournment: he was a friend to this measure, and if he was obliged to walk out to the lobby 500 times to support it, he would do so: he conceived that there were many individuals in this country who ought to be punished, and he thought that suspending the Habeas Corpus Act, was the best mode for that purpose: on these grounds he should oppose the motion for adjournment.

Mr. JYKELL supported the motion, and said he should be glad



to walk out of, and into, the House 500 times to defeat this Bill; for by relinquishing the Habeas Corpus Act, the House relinquished the palladium of the people of England. He thought it fair to take advantage of any accident to defeat this Bill, for the House should recollect it was owing to accident that the Habeas Corpus Act passed; there was great opposition to it in the House of Lords, and it was owing to one person being counted for ten, that the Bill passed. He then quoted the celebrated speech of Mr. Booth\* on the suspension of this act, and concluded with supporting the motion.

LORD WILLIAM RUSSEL said he should vote for the adjournment: he was decidedly against the present measure. The question was not, whether we should or should not punish certain persons for endeavouring to act improperly; for that purpose he considered the law sufficient; but whether we should keep our present free and happy Constitution, or give it for the chance of establishing an arbitrary Government. He saw nothing in the Report to justify the present most violent and alarming measure.

MR. YORKE opposed the motion, and defended the present Bill, under the precedent of the year 1722.

MR. LAMBTON said he thought this measure dissimilar to every other ever attempted. Nothing appeared in the Report to justify it, and the speech of the Minister on moving for leave to bring in the Bill, had completely failed to make out the necessity for which he contended. In the case of 1722, the measure was justified, and the reasons offered were as such would now be satisfactory.

SIR WILLIAM YOUNG spoke to order, conceiving that these allusions to the speeches of Members on other occasions, were irregular.

THE SPEAKER was of opinion that Mr. Lambton was perfectly in order.

MR. LAMBTON proceeded, and said that if it were supposed he wished to delay this business, that was a mistake; he did not oppose it with that view; he opposed the measure because he was convinced of its unconstitutional tendency: he had no particular partiality for the proceedings of these Societies; he disapproved of them in general, nor did he approve of the character of many of the persons who composed them. He did not mean to say that Ministers intended to abuse the trust to be re-

\* See Pages 69 and 70.

posed in them by the present Bill, but he was not to be governed by his own private opinion upon that subject, for he was in that House in a representative capacity, in which he was bound to be jealous; and under that idea, he could give no confidence but such as was warranted by the Constitution.

Sir WILLIAM YOUNG opposed the motion.

Mr. CURWEN supported the motion on the ground that it was necessary for the public to be acquainted with the alarming tendency of the Bill.

Mr. BURTON opposed it, on the ground that magistrates had not power to detain persons who were suspected of being guilty of conspiracy against the state, for a period long enough to examine whether they were guilty or not. There were two or three persons now in custody on such a charge, and they might be discharged in the due course of law, before their cases could be examined, unless the Habeas Corpus Act was suspended.

Mr. BAKER thought this a measure which involved the safety of the Constitution. This measure, if fit to be pursued at all, was such as should be pursued with speed; those, therefore, who thought it ought to be adopted at any time, could not possibly consent to any adjournment. It was desired that the House should delay this proceeding, in order that the opinion of the people might be known: how was that opinion to be collected? He therefore thought it his duty to stand forward, and to consent to the suspension of this law, in order, not to prevent the people from meeting and giving their opinion on points to which they were competent, but to prevent the carrying on a system of conspiracy against the State. He should put it home to the breasts of gentlemen, and ask whether they did not think there were a few, and he believed but a few, who had evil intentions towards the Constitution of this country; but a few ill-disposed persons might do a great deal of mischief, particularly in a popular assembly, and mislead men of the best intentions. Attempts of that sort had been made in a society of which he was once a member, and those attempts compelled him to leave it. Such, he feared, would too often be the case, for bad men would mix in company with the good upon these occasions. He quitted that society (the Friends of the People) for these reasons: not that he did not believe that the greater part of them

were very good men, but he thought it not safe under all the circumstances, for him to continue.

Mr. MILBANK thought the common law of the land quite adequate to the correction of the evils complained of, and on that account, this extraordinary measure was unnecessary: he should therefore move for the adjournment.

Mr. Serjeant WATSON opposed the adjournment, and quoted some precedents in support of the Bill.

The House divided—

For the adjournment	—	—	37
Against it	—	—	161

The question being put, " That this Bill be now read a third time,"

Mr. GREY maintained that the plan mentioned in the Report was not accompanied with proof that bore the Minister out in his conclusion, namely, that the Habeas Corpus Act ought to be suspended, in order to check those proceedings, and prevent the accomplishment of the object of the Societies in question. He objected to this measure, because it would exempt Ministers entirely from all responsibility. It would be the least of two evils, to allow Ministers to act as they pleased secretly; because then, if they proceeded to violate the law, without or against evidence, they would, at least, be acting under the terror of impeachment; but here they were to be permitted to proceed without any foundation on evidence, as they should please, without any responsibility whatever. The Committee who framed this Report had been appointed by ballot; the manner in which they were chosen did not deserve the name of a ballot. He differed from the Committee in all their conclusions from the evidence they reported; and he doubted whether all the evidence that ought to be before the House was before it; the Committee were either deceived themselves, or wished to deceive others, and an attempt was now made to make the House parties in the imposture. Much stress had been laid upon precedent; now, he confessed that precedent had little or no weight with him, against principle; but he maintained that the reason of the thing, even according to precedent, was against the present measure. He then proceeded to take a view of all the precedents, which he examined minutely, and maintained that every one of them was founded upon much better evidence than the present mea-

sure had for its foundation. He had expressed a doubt on a former night whether he should have voted for the suspension of the Habeas Corpus Act, even on the evidence that had been offered on some former occasions, had he been a Member of Parliament then; on which an observation had been made, which was, perhaps, intended to insinuate that he should not then be so ready as he ought to be, any more than now, to lend assistance to Government when it stood in need of it. Such an insinuation deserved, and should have nothing but contempt from him: he should have done then as he was doing now, discharge his duty conscientiously, without being at any pains to enquire what insinuations might be thrown out against him, with a view to injure him in the estimation of the public, by assigning to him motives which he disdained. It had, in the course of the debate on this important and alarming measure, been said, that it was highly improper to appeal to the public for their sentiments upon it. This was not very consistent with the conduct of the Minister on former occasions. Had the House forgotten, the public had not forgotten, how the Minister conducted himself on the affair of the armament against Russia. He had carried on his measure on that occasion, with a triumphant majority through Parliament, but when he found the public voice was decidedly against it; he had, as it had been emphatically said, "dragged his parliamentary majorities through the dirt, and relinquished his object, because he found the people were against him." What was the conduct of the Minister in the year 1782, when his pretended sincerity for a parliamentary reform, had been defeated in that House, by a motion for the order of the day? He had abandoned it for ever. William Pitt, the reformer of that day, was William Pitt the prosecutor, aye and persecutor too of reformers now. He who thought it fit to inflame the passions of the people, and to instigate them to a contempt for the House of Commons then, would not now allow the people to judge of their own rights and dearest interests, but persecuted with the real bitterness of an apostate, his own partner in the question of parliamentary reform. He had this very day been examining as a prisoner, John Horne Tooke, for persevering in his sentiments. This same William Pitt, who had once taught the public to believe, that nothing honest was to be expected from the House of Commons, and that the people should do every thing for themselves, now insisted that



the people should do nothing for themselves, but should submit implicitly to the House of Commons, the right even of their personal freedom. What was the natural inference from all this? Why, that this famous reformer only wanted to obtain the confidence of the people, in order to betray their interests and sacrifice their rights. What were these acts of which such complaints were made in the Report of this Committee of Secrecy? Nothing more than that a set of people had expressed a determination to pursue, by legal means, the object of parliamentary reform. He knew nothing of any of these societies, except from report; he was not a member of either of them; he had even disapproved of some of their plans: but this was not a time for him, on account of some difference of opinion upon speculative points, to abandon them to the fury of their apostate foe. There might be imprudence in some of their measures; there might be among them, men of desperate fortune and sinister purposes; but if any evils had arisen from the doctrine of applying to the people, instead of applying to Parliament, the Chancellor of the Exchequer had been the chief cause of that evil.—What was the object of these people? “Their ostensible object,” said the Minister, “is Parliamentary Reform; but their real object is the destruction of the government of this country.” How was that explained? “By the resolutions,” said the Minister, “of these persons themselves, for they do not talk of applying to Parliament, but of applying to the people themselves for the purpose of obtaining a parliamentary reform.”—“If this language be criminal,” said Mr. Grey, “I myself am one of the greatest criminals. I say, that from the House of Commons I have no hopes of a parliamentary reform, that I have no hope of reform, but, from the people themselves, that this House will never reform itself, or destroy the corruption by which it is supported, by any other means than those of the resolutions of the people, acting on the prudence of this House, and on which the people ought to resolve; this they can only do by meeting in bodies. This was the language of the Minister in 1782, but I do not know what his sentiments are now, for who can know the sentiments of an apostate, who has no rule for his guidance but his own conscience. These were the sentiments of the Duke of Richmond at this time, but he accompanied these sentiments with a plan, precisely what these societies now recommend, “universal suffrage, and

annual representation." What then have these persons done, more than the Chancellor of the Exchequer and the Duke of Richmond? And what has been discovered by examining the fine velvet bag which the Minister brought into the House in so solemn a manner? Nothing but what every body knew twelve years ago, and what these societies have thought fit to reprint and publish in the year 1794. It is for this that the Habeas Corpus Act is to be suspended, and the personal liberty of every individual in the kingdom is to be in the hands of the King's Minister." In cases of extraordinary emergency, Mr. Grey allowed that the Habeas Corpus Act might be suspended, but here was not sufficient cause made out for the purpose. He did not pretend to be learned in the law; but he always understood, that nothing but overt acts were legal evidence of intention. Now he wished to know, by what construction of law or of common sense it was, that we were to conclude men intended, what they did not profess? That when they said they meant to obtain a parliamentary reform by constitutional means, they intended to pull down the constitution by force? The law afforded means to punish those who acted unjustly, and that was sufficient in this case. He was sure that if this measure was submitted to the people at large, they would express their abhorrence of it, in such a manner, that it would be impossible to pass it even through that House. But supposing, merely for the sake of argument, that these Societies were dangerous: Was this convention, so much talked of, likely to assemble so soon that Government would be unable to prevent that danger? Nothing like it; but the real reason for this dispatch was, the conviction of the Minister, that if he did not pass it by stealth, the public would not suffer him to pass it at all! He was induced to say this, because if observations of this kind were not made, and the public attention called to this business, a blow might soon be given, that would destroy our liberties for ever. This measure was part of that system of alarm which had been adopted to keep the public from seeing their real situation; he had no doubt that when this business came to be properly examined by the public, as very soon it would, the deception would be discovered, and those who endeavoured to expose it now, by opposing the present Bill, would be thanked by the public for their exertions. Perhaps the Minister had another trick to play. If he should dissolve Par-

liament soon after this, he might possibly derive some advantage for a time by it. He did not know whether that was his intention or not. It might be the remaining trick he had to play; but he believed it would be the last; be that as it might, he had done his duty in opposing this bill, and he was confident he had laid down sufficient ground for rejecting it. As a contrast to the present Bill, and the manner by which it was attempted to be passed, he desired that the proceedings on the Journals of the 6th of February, 1679, might be read—which being done;

Mr. CANNING said, it was curious to observe the contradictory conduct of the opposition, for according to them precedents were every thing when in their favour, and worth nothing when against them. He was willing to grant them either argument, but he did not think it candid or fair, that to serve their own purposes, they should prey upon both. He would not, he said, argue as to the proof of the danger that induced his Majesty's Ministers to suspend the Habeas Corpus Act; the report of the Secret Committee justified the measure; and he was willing for his part, to take the word of Government. The conduct of the Right Hon. Gentlemen (Mr. Pitt), on the subject of a Parliamentary Reform was made the incessant topic of animadversion. Surely it signified but little to the question in debate. A gentleman might change his opinion as circumstances differed, and what was proper at one time might be the contrary at another. He had been of opinion that a Parliamentary Reform was a wholesome measure; but he now entertained the same opinion with his Right Honourable Friend; he supported him in those opinions, and he agreed with him that though such a reform might not be improper for decision in time of Peace, yet it was not a proposition that ought to be agitated in times of tumult and storm. This was not a period when Gentlemen should take a partial view of a subject; they should not look to a part but the whole. If Ministers were to proceed in this business, Parliament was menaced with the diminution of its numbers by the secession of the Gentlemen opposite! but he did not perceive the direful consequence that would result to the country, if such threats were carried into execution! He thought it was possible for the Country to subsist under the calamity of their secession! He paid many compliments to the candour of Mr. Lambton, but said the precedent of 1722, was almost entirely in point.

Mr. LAMBTON explained. He said, that Sir Robert Walpole had strong grounds to believe, that the Conspirators in his day, had applied for 5000 men to Foreign Potentates; but not a word had been advanced to shew, nor was the least evidence given to prove that any of the Societies of the present day had applied to France for any number of men whatever; nor had they proclaimed at Charing Cross, that they were One and Indivisible.

Mr. BAKER explained:

Mr. COURTENAY complimented Mr. Canning on the brilliant display of abilities he had made, and congratulated Mr. Pitt on having procured so Honourable an Apologist—Nothing could be more ingenious than his defence of his friend. "True" says he—"my friend is an Apostate, but then I am an Apostate too. True, he is guilty, but I desire to have the honour of sharing in his disgrace; and I assure you that if ever my Right Honourable Friend shall return to his former opinions I will also." Could any thing be more ingenious than this defence? Could any thing be more truly descriptive of his own character? Indeed such characters were very common and had been often described by Politicians, as well as Poets.—Pope for instance describes such a character accurately—

"Like some vile straw that's whirl'd by every blast,

"And carried off in some dog's tail at last."

But he did well in sticking to the tail of the Minister, as he had, no doubt, his reasons for it. Mr. Courtenay then spoke with severity of the measure before the House. It was calculated, he insisted, to destroy the social intercourse between men, and to make each person afraid to trust his neighbour. He was surprised how his Majesty's Ministers could adopt those measures which they so much reprobated in a neighbouring Country, for certainly the same thing had been done in France by Barrere and Robertspierre, who, when they saw themselves threatened with danger, instantly discovered a Plot, which they submitted to the Committee of Public Safety, before whose absolute authority the victims of their dislike or disapprobation were immediately sacrificed. So far the Chancellor of the Exchequer precisely followed their example, he had like them all the qualities of a great Minister,—he had simulation and dissimulation.

[Here he was called to order by the Speaker.]



Sir GEORGE HOWARD observed, that he was perhaps the oldest Member of that House, and was of opinion that all personality was irrelevant to the subject of debate.

Mr. PITT said, he was willing to wave the point of order as far as he was personally concerned, for nothing that the Honourable Gentleman could say could possibly offend him.

The Speaker said, it could not be supposed that he had interrupted the Honourable Member on any idea of what might be the personal feelings of any Gentleman, but because he thought that he was going beyond the established rules of debate.

Mr. COURTENAY said, that if the Right Honourable Chancellor of the Exchequer had waited for him to finish his sentence, he would have been spared the mortification of hearing his rebuke. He intended to have said, that Lord Bacon remarked, "That there could be no great Minister without Simulation and Dissimulation." As to what the Right Honourable Gentlemen has said with respect to me, "continued Mr. Courtenay." I am convinced from his complacency and benignity of countenance, that he was really sincere, and so far, certainly, I cannot charge him with dissimulation. He next adverted to a Hand-bill, which he received coming down to the House, which had been circulated with great industry, and not read with less avidity. It was to the following effect: Treason! Treason! Treason! "Englishmen, beware; take care of the cursed English Jacobins, who formed a plot to deliver up the Duke of York and his Army to the diabolical French, to be cut to pieces." Much had been said of the clemency of Ministers in this business, but he must say, that he would not trust much to their humanity. He instanced a circumstance relating to Messrs. Muir and Palmer, Gentlemen of respectability, and as good education, as many Gentlemen in that House.—He had information in his possession of the humanity of Ministers with respect to these Gentlemen. Mr. Secretary Dundas, he asserted, from a letter which he had copied, had been applied to for the purpose that these Gentlemen should not be treated as common Felons, but the application proved fruitless, and they would actually have been bolted down in the hold with common culprits, if they had not been suffered to remain in a damp and confined room, in company with a dozen of Soldiers. This act of humanity proceeded from the feeling of a Serjeant, for a British soldier has sometimes

more feeling than a British Minister. He said he mentioned the fact on the authority of Letters which he himself had seen and copied : yet he did not affirm the fact to be true. He concluded with declaring, that he should give every opposition in his power to the Bill, as striking at the very existence of the Constitution, and as being introduced by men for whom, as Ministers, he had the utmost contempt.

Mr. Dundas said he should leave his humanity to be judged of by every man's opinion of his general conduct. With respect to the information that he had directed the persons alluded to, to be treated like common felons ; it was a direct falsehood. On the contrary, he had said to many persons who applied to him on their behalf, that however he might differ from them with respect to the guilt of those persons, he was desirous of paying every attention to their birth and rank in society that their situation would admit of ; and he pledged his veracity as a gentleman that all the orders he had given, with regard to their treatment, were to this effect. He denied that any one of them had ever applied to the Crown for mercy. He had heard of a petition from the parents of Mr. Muir, which was transmitted by a friend. That Friend, when he visited Mr. Muir in the Hulks, was told by him that he desired no mercy ; that he gloried in what he had done, and considered his sufferings in the cause in which he had engaged, as an honour not a punishment. The gentlemen would have thought him wrong in the head, if he had not been told that Mr. Muir had been visited by persons of distinction, to whose conversation he attributed this disdain of mercy. With respect to the Bill, the interposition of the legislature of one day was not to be assimilated to that of another, because the emergency could not be the same. It was now said that the suspension of the Habeas Corpus would be the complete overthrow of the constitution. Let Gentlemen look to the precedents, nine of which had occurred since the Revolution, and they would find that in the best times, and by the best ministers, the temporary suspension of the Habeas Corpus had never been so considered. They would find that nine Parliaments, not as it was now the fashion to call Parliaments corrupt, had approved of precisely the same sort of measure that was now before the House. Let them next see if any valuable right of the subject had been impaired by it. No historian had ever said so, no man had alledged it even in con-

troverſy. This was a complete answer to all the wild declamation on the threatened ruin of the Conſtitution. The danger, it might be ſaid, had been greater on former occaſions, and more apparent than it was now; but he would rather have to contend with a foreign enemy than to guard againſt the ſecret poiſon that worked unſeen. Let no man, however, ſay that correſpondence with the foreign enemy was a thing that could not exiſt. Mean men had much to gain by anarchy, and nothing to loſe. When they formed Conventions for reforming the State, their aſſociation became a conſpiracy for plunder; they naturally declared war againſt every thing reſpectable in rank or authority, and were retarded by no ſcruples as to the means of carrying it on. It was not a Reform of Parliament that would ſatisfy theſe ſocieties. The reſolutions of one of them expreſſly ſaid, "That ſome things were not to be ſubmitted to, either with or without the ſanction of Parliament." They did not all go this length in their reſolutions; but he felt no difficulty in ſaying that a Convention which had for its object univerſal ſuffrage and annual elections, could not exiſt but by overturning the Monarchy and the Parliament, and introducing anarchy on the ruins of both. His Right Hon. Friend (Mr. Pitt) had never held ſuch doctrines. If the Duke of Richmond had ever entertained ſuch an opinion, he could only ſay that it was a fooliſh theory for a wiſe man to hold. Such a propoſition neither he nor any wiſe man would make at preſent, when the only effect of it could be to propagate the ſame ſort of ſpirit that had deſolated France. None of the Gentlemen on the other ſide of the Houſe had ever maintained this doctrine. An Honourable Gentleman (Mr. Grey), on his motion for Parliamentary Reform, had ſaid that he would prefer univerſal ſuffrage to no reform at all:—a very imprudent declaration, which he was ſorry to hear from a man of his character and abilities. It was the faſhion to raiſe againſt Mr. Pitt the cry of apoſtate, becauſe he had changed his opinion on the ſubject of Parliamentary Reform. Had none of thoſe who called him ſo ever changed their opinion, and on the ſame ſubject? Why had not the Hon. Gentlemen who laſt year preſented the Petition from a ſociety calling themſelves the Friends of the People, renewed his motion for Parliamentary Reform this year? Becauſe he thought it prudent to conſult times, and ſeaſons, and places, God forbid that he ſhould drive him

from his sober way of thinking. He rejoiced that the Hon. Gentleman had adopted it. At the time when the Hon. Gentleman declared himself the advocate of parliamentary reform, he was warned that the subject would soon get into other hands, where very little regard would be paid to his views of it. Let him consider how far he could sit in the whirlwind, and direct the storm? Would the Hon. Gentleman deny that the prophecy was now fulfilled, and that persons of a very different description from those with whom he chose to act, had taken up the question. The plain fact was, it was either pursued on the plan of universal suffrage by all those who had engaged in it, or held forth as a stalking horse to cover their own ambition. The Hon. Gentleman had indeed declined the proffered co-operation of the Corresponding Society. He wished, however, that while he rejected their assistance, his answer had expressed more strongly his abhorrence of their designs. Their whole conduct shewed that nothing less would satisfy them than universal suffrage and annual parliaments:—in other words, the complete subversion of the constitution. He begged leave again to repeat that he meant no reflection on the Hon. Gentleman's declining to renew his motion this session of Parliament. On the contrary, he thought it a proof of his discretion and his prudence. At a time like the present, there was more true courage in keeping back, than could have been shewn in obstinately persevering.

Mr. GREY said, he had forborne to renew his motion for a reform in parliament, because, finding that it had at present but little support from the people at large, he wished not to throw discredit upon it, by reviving it at a time when the want of that support would be triumphantly urged against it:—he had forborne to make it from none of the considerations suggested by the Right Hon. Gentleman. On the contrary, he thought that postponing reform would tend only to accelerate the effects which the Right Hon. Gentleman apprehended. He had visited Mr. Muir in the hulks, and he found him borne up by strong enthusiasm, as thinking that he had been guilty of no crime, and was therefore incapable of feeling punishment. He was ready to bear testimony, that in all his applications to the Right Hon. Gentleman in behalf of Mr. Muir and his fellow sufferers, he had met with the utmost attention.

Mr. COURTENAY said, he had spoken from no distrust of the



Right Hon. Gentleman's humanity. He had copied the information from authentic letters, and had used it as an argument against entrusting Ministers with extraordinary discretion. He was glad to hear that, as far as respected the Right Hon. Gentleman, it was unfounded, and had only to regret that his orders had not produced a better effect.

Mr. SHERIDAN said, that he and other Gentlemen had experienced every degree of attention from Mr. Dundas, in their applications to him on behalf of Messrs. Muir and Palmer. The Right Hon. Gentleman was not quite so candid in his manner of stating their having visited those Gentlemen. He should have been ashamed not to have visited men whom he thought oppressed; but there was no ground for saying that he and his honourable friends had induced them not to apply for mercy. The House would recollect that when he presented Mr. Palmer's petition, praying, not for mercy, but for what the petitioner conceived to be justice, he stated, that he had withheld it for some time after it came into his hands, on a supposition that an application was then making for the interposition of the royal clemency. None of the arguments in support of the Bill were at all to the purpose, unless it were proved, that after the Bill was passed, a Convention for obtaining a parliamentary reform would be little short of treason. The Right Hon. Gentleman had quoted nine precedents, but had prudently forbore to examine any one of them, well aware that the result must have made against him. If it could be shewn that the suspension of the Habeas Corpus now proposed was for a purpose totally different from that of all the former suspensions, all reliance on the precedents must be abandoned. Immediately after the Revolution, when a prince out of the regular line of succession had been called to the throne—when the prince expelled from it, aided by a foreign power and a strong party at home, was aiming at his restoration, the greatness of the danger might justify recurring to such a measure;—but was there any such danger now? The Right Hon. Gentleman said that he less dreaded a foreign enemy than this secret poison. Was this the character of the danger apprehended? Had that danger any one feature of secrecy or conspiracy? If it had, it was the most boasting and garrulous conspiracy ever heard of; a conspiracy that held its meetings in public gardens, and carried on its correspondence in public news-

papers! He contended that the remedy proposed was more likely to produce than to prevent a conspiracy; for, unless all the persons connected with the obnoxious societies were cooped up in prisons, they would pursue that in secret which they had formerly pursued openly—assume the colour of conspiracy, and perhaps the effect. The whole turned on the criminality of the object, or of the means. Universal suffrage might be an erroneous opinion; but where was the legal criminality in associations holding that opinion, while they committed no act to infringe the law? If it was meant to confine every man who avowed that opinion, the remedy was most preposterous; for it would serve only to irritate and inflame all those who held it, and to make proselytes of others, by compassion for their sufferings. Ministers should be aware of this from a review of their past conduct. They had evinced a jealousy of parliamentary reform ever since the French Revolution. But even from their own shewing, the result of their measures had been uniformly against their purpose. The Proclamation, which was their first measure, was avowedly more directed against “the Friends of the People,” than any of those seditious societies. Yet that proclamation, it appeared, had begot nothing but tumult and insurrection. Their next measure was the spreading abroad an host of spies and informers. These had only served to increase the general turbulence. Their last measure was a severe system of prosecutions; and the result of these was, according to their own statement, a necessity for passing this Bill. Thus they went on from week to week and from day to day, adding rigour to rigour, till they had brought the Country into such a calamitous situation as that nothing could avail but the surrendering every barrier of liberty into the hands of the Executive Government. He was persuaded, however, that none of these dangers had any actual existence. The Report of the Committee was a mere political artifice. That Committee was composed of men, in part deceiving, and in part deceived. It was equally suspicious from its manner and its precipitancy.—It went to surprise Parliament into the strangest of all possible measures, from documents now adduced as novelties, but of which every man in and out of that House was previously in the possession. Ministers were long since in possession of every fact relative to those societies: they had perhaps some of the secretaries in their pay.—They had long since heard of their having had ser-

jeants to drill them in back rooms, of their having been arrayed at the Cat and Bagpipes and the Black Dragon, and the only reason why they did not proceed on these informations was, that they knew they were all false. But on the committal of Mr. Stone all these fictions were revived; though if there were plots, those two must be separate and distinct as Mr. Stone had nothing to do with these societies. It was said that some of those societies had resolved to provide themselves with arms; whether these arms were to come from Sheffield, or every man was to furnish his house with a musket to defend it against Church and King mobs was not stated. Had the Committee any evidence that the arms were to be employed for illegal purposes? If they had, this would form a new ingredient in their report, and the only one in it. The early industry of the press, he observed, had been exercised in an uncommon degree, to second the management which had distinguished the bringing forth of the Report. He held now a hand-bill, under the following curious title: "The downfall of Jacobinism, or the Plot discovered; to which is added, the glorious Successes of the Duke of York, being an Extract from the late Extraordinary Gazette!"—This curious combination was a proof of the diligence which had been employed to excite and spread the general alarm.—But he would appeal to the members of that House, whether when a Secret Committee was appointed, they did not expect a full discovery of some new and pressing danger? In the course of last year, they had been told, that the system of prosecution, and the association of Mr. Reeves, "which did him such immortal honour," had totally changed the public mind. In the King's Speech, at the close of the last Session of Parliament, they were told that the attempts against the Constitution were completely checked. On the opening of this Session, his Majesty was again made to rejoice, that the "steady Loyalty" of his subjects had defeated every such attempt. Since that time the hands of Government had been strengthened by the Alien Bill, the Traiterous Correspondence Bill, the Subscription Levies, &c. &c. Yet the House was now called upon to declare, that his Majesty had been completely mistaken—that all those efforts had failed, and nothing would be sufficient to preserve the existing Government, unless it were to be invested with the undefined exercise of an arbitrary power!—But it was asked why the Opposition would

not take the word of the Secret Committee, for the existing danger? He would answer, because it was not asked. The Report was made in such a way as to take from the Committee, and from the Ministers every share of responsibility. They had laid their proceedings before the House, and if the Commons chose to act upon these, the Ministers were not responsible. Such a power demanded in such a manner, he was not willing to grant. It was asked on a frivolous pretence; there was, therefore, every reason to apprehend that it would be exercised on pretences equally frivolous. The sentiments of those societies Mr. Sheridan looked on as springing from the seeds first sown by Mr. Pitt, Mr. Burke, and the Duke of Richmond. It was ungenerous in them first to instil the principles, and afterwards to treat with rigour their proselytes. Such a conduct could only tend to inflame men's minds, and to fill them with contempt for all public men. He proceeded to prove these Gentlemen the authors of the present fermentation in favour of a Parliamentary Reform, by citing parallel passages from the papers called Seditious on the table, and the letter of Mr. Burke to his constituents at Bristol; the Duke of Richmond's letters to Colonel Sharman, &c. He inferred, that the former, though expressed in less elegant language, conveyed no one leading idea, which was not obviously borrowed from the latter. He entered into an able defence of the Friends of the People, who, he said, had never been misled by those persons whose admission into the society, Mr. Baker had alledged as the reason of his withdrawing from it. It was the system of calumniating the society adopted by Ministers, that had alarmed the Hon. Gentleman, and not any part of its conduct. If the Bill should pass, it would multiply Societies for Parliamentary Reform, and might fill the jails, but certainly would produce none of the effects held forth as the object of it. *If it should pass, as he feared it would, and those who now opposed it should fail in an attempt to obtain the repeal of it next session of Parliament, it would be for them to consider whether or not they should ever set foot again in a House where all their efforts to preserve what remained of the liberties of their country were so obviously ineffectual.* How much, it had been asked, would the numbers of the House be thinned by their secession? However inconsiderable they might be in point of numbers, the loss of his Right Hon. Friend (Mr. Fox), in the opi-



ation even of many who voted with Ministers, and of the country at large, would be irreparable. He would not pretend to advise his Right Hon. Friend on such a subject, but it was too much to expect that men should continue to toil without hope of benefiting the public by their labours. An Elector of Westminster had proffered his vote for Mr. Fox, after refusing to vote for him on a former occasion, and gave as his reason, "that Mr. Fox, at the time he refused to vote for him, was Secretary of State, he never wished to see him Secretary of State but at the head of a strong Opposition; and then, he was sure, Ministers would be kept to their duty."—Such was the notion men had got, that while his Hon. Friend was in opposition to Ministers, their measures would be not only watched but improved.

Mr. WINDHAM said, that except by the Hon. Gentleman who spoke last, little had been said that applied to the question. As hackney-coachmen might charge either by distance or by time, if they were to judge by the length of the debate, they had made great progress—if by what had been said, little or none. The plain question was between the inconvenience of the measure on one hand, and its necessity and applicability on the other. The Habeas Corpus Act was a valuable part of the Constitution, and was now to be defended in common with every other part of it. A temporary suspension was proposed, as the best means of securing the future enjoyment of the benefits it afforded—a measure which had been often adopted before, without ever producing any inconvenience to be put in in competition with its good effects. He entered into a warm defence of Mr. Pitt's change of opinion on Parliamentary Reform, and the right of honourable men to change opinions on all occasions, when they found those opinions to be erroneous in themselves, or not fitted for the times. The arguments used by those who opposed the present measure, appeared to him totally inconsistent. They supposed, because the proofs brought of an existing Conspiracy, were some of them in the hands of the Administration before that, therefore, they had no validity; but what man who wished to permit his reason to guide him, could deny that there were evident proofs of a complete system to overturn the Constitution, when in the first instance appeared the designs of those Societies clearly expressed, and these expressions followed up by overt acts, tending to the perfection of that design—when two years since these mat-

ters were spoken of, Gentlemen called for distinct and particular proofs, but though it might be clear to the apprehension and judgment of every man in the kingdom that such things had an existence, yet instances were not easily procured, and though one or two might have even then been brought forward, yet the reply of these Gentlemen would have been, "these are but particular instances, and not sufficient ground for a general allegation;" but now that the whole system of these proceedings was laid open, and the veil which covered their iniquity boldly thrown off, they still affected to doubt its existence, and undervalued the magnitude of the danger. But, say they, we disapprove of your method of correcting those abuses, even supposing they do exist; severity is not the measure that should be pursued; you should pursue lenient remedies: certainly not.—It is my opinion, if the present strong measures are not sufficient, that something stronger should be adopted, either a Convention Bill, or something of a similar nature.—Their principle of universal suffrage, if once adopted, will put an end to the existence of this House. From this principle chiefly have originated the great and tremendous evils which have desolated and laid waste the great and populous kingdom of France!!! The Honourable Gentleman (Mr. Fox) has said upon a former night, that we, in this conduct, resemble the French Convention, but he has never once told the House wherein lies this resemblance. It is something like the resemblance between Macedon and Monmouth, "There is a river in Macedon, and a river in Monmouth, and there are salmons in both." But if they say that we are in our conduct like the French Convention, we can with as much truth say, that they resemble in theirs the Jacobin clubs.—The severe language that had been used with respect to the Committee of Secreey, not on this only, but also on a former night, deserved some comment. They had been termed a credulous or imposing committee—he might call those who said so an incredulous and imposing Opposition. He did not apprehend the same evil from the adoption of this measure, by which Gentlemen seemed to be so much alarmed. The suspension of the Habeas Corpus Act had no such terrors in his mind; it was a measure which had been frequently adopted in the best times of this Country, and had never, that he could recollect, been attended with any bad consequences.

It was not fair to say, that because former measures had not cured the evil, they had therefore done no good. Mild remedies must be used at first, and if these failed, remedies more harsh. If the measure now proposed should prove insufficient, recourse must be had to others more effectual. The thing, in short, must be done; and if the existing laws were too weak to check the mischief, laws of greater force must be made. He animadverted on the great plan framed by men deeply read in the human heart for subverting every existing Government, Republican as well as Monarchical; and said that he would oppose all schemes of Parliamentary Reform, by Constitutional means, while the authors of them confined themselves to constitutional means, and when they departed from those, by whatever means he should have it in his power to use. Those Societies acted upon a general principle of depression, and envied every man in the Country, who happened to be elevated above them, by rank or fortune. There must be always a relative depression in all Countries, and frequently the most numerous part of the community were its objects: the minds of these people, the Leaders of those Societies used every endeavour to influence, and draw from the strict line of their duty, by misrepresentation and false argument; he therefore thought them highly dangerous, as the great mass of the people who composed the physical strength of the State were of this description, and were more likely to be seduced from the right line of duty.

LORD GEORGE CAVENDISH said his mind was not so tainted with alarm as to give up all his former opinions, and trust Ministers with extraordinary discretionary power, of whose general principles and conduct he did not approve. If he thought that any conspiracy existed, which the laws were not sufficient to check, he would give Ministers every aid in his power; but although, on the present occasion, he should differ perhaps from those with whom to differ seemed almost like differing with himself; yet till such a case was made out, he could not assent to the Bill.

MR. DRAKE entered into a panegyric on the valour displayed in the war; expressed his detestation of the Demoniac proceedings in France, and his approbation of the Bill!

MR. FOX said, he should not have troubled the House with any further observations on the subject of the present Bill, after having given his opinion so fully upon it the night before, but

for the very extraordinary topics which had been introduced by his Right Hon. Friend (Mr. Windham). If he had expressed himself warmly on the subject of this Bill, he begged leave to say, after the most mature reflection, that he did not repent of such warmth. He desired to be considered as repeating and confirming every assertion—it was a Bill characteristic of the worst times, and which he feared predicted much calamity to the country. They were hurrying into that most dangerous and alarming predicament, which would produce either the horrors of anarchy and confusion on the one side, or that despotism of monarchy which Mr. Hume called the Euthanasia of the British Constitution on the other; in either of which he saw the complete extinction of liberty, and he dreaded to think what must be the shocking alternative which he, and other men who loved the true principles of the Constitution, must be reduced to in the impending struggle. The Bill was characteristic of those violent times, when instead of being guided by reason, we were to be put under the dominion of wild passion, and when our pretended alarms were to be made the pretexts for destroying the first principles of the very system which we affected to revere. Every warm expression therefore which he had used the night before, he now upon reflection justified and repeated; and even yet when a moment was left him he deprecated the horror of passing the Bill into a law. He would pass over all the lesser topics of the speech of his Hon. Friend, in order to come to that most portentous part of it which had made an impression upon his mind never to be effaced, and which foretold the destruction of the British Constitution. It was an argument upon which, if the present measure was really founded, that he hoped would even yet make the House pause before they proceeded further. He had said, that to the existing evil of the jacobinical doctrines, remedies ought to be applied in gradation.—From mild remedies he would proceed to remedies less mild, from less mild to severe, and through all the degrees of severity. What by this argument was he to think of the present measure? But that it was only one step in his ladder, and that if this should fail of producing its effect, he had still remedies more severe in reserve. The Hon. Gent. had tried already his gentle remedies; the Alien Bill was an anodyne; the Treasonable Correspondence Bill was also a gentle medicine; and as these remedies had failed of



producing the proper effect, nay as by the King's speech it was said that notwithstanding those measures, the evil still existed with increased malignity, he was now to try this severer remedy; with the declared intention that if this should also fail, he had still more violent measures to pursue. When the experiment should have been made, and proved like all the former to have failed of producing the effects expected from it, he desired to know what must be the answer to his question if next year enough of the Constitution should remain to enable him to put a question to the Hon. Gent. in his place—what would be done beyond this? After suspending the Habeas Corpus Act, what would he do more? Would he prohibit all meetings of the people so as to debar them from all discussions on political subjects, and prevent all free intercourse between man and man? And when this should be found ineffectual, would he give to ministers the power of making arbitrary imprisonment perpetual? Would he still further go on in the exact and horrid imitation of the men who now held France in anarchy, and establish a Revolutionary Tribunal, or what perhaps he would call an anti-revolutionary tribunal? Or where would he stop? What limit did he propose to make? Was there no end to this plan of securities until he should accomplish the end of annihilating all doctrines that he might affect to dread, or destroy all the disaffected spirits which he might pretend to exist in the country. It was of consequence to the House to see what they were doing. They were told that what they had done was not enough! Good God, what was to be done after this? Under the colour of pretended alarms they were to go on to an unlimited infringement and demolition of all the strongest and most beautiful parts of the Constitution. The Hon. Gent. was offended at the comparison that was made between the conduct of ministers and their adherents this day, and the conduct of the present rulers in France, and he had with great felicity quoted the comparison of the river in Macedonia and the river in Wales. But with all respect for his wit, the Hon. Gent. must be content to incur the imputation of similarity, when their conduct was so similar. They had taken great pains to throw odium on the pretended designs of a Convention, on account of the word Convention. Now let gentlemen look at their conduct and see if it was not in substance the same as that of the present rulers in France. What was the conduct of the

present rulers in France? That from day to day they spread stories of alarms, and plots, and conspiracies, and insurrections, among the people, so as to inflame and agitate their minds, and to spread panic and terror over the whole country, that they might take advantage of their fears and obtain unlimited power, to be exercised in carrying on and confirming this very terror. For they inspired the double alarm of danger from conspiracy, and danger from the exercise of their own unlimited power, exerted as it every day was, in the most shocking murders, with hardly the aspect or form of judicial trial. What was the conduct of the Jacobins here? Precisely in the same manner they spread stories of alarms and conspiracies, so as to fill the public mind with fear, and to use the jargon of the French, to make terror the order of the day. By spreading these false and idle alarms, they succeeded in obtaining powers destructive of the Constitution, which, as in France, were to be exercised with such inhuman rigour, as to keep the country in double awe, and by fostering indignation and discontent, give rise again to new jealousies, which should give occasion for still further stretches of power. Thus they followed the example set them by the men whose doctrines they pretended to abhor with the most shocking fidelity. Every part of their conduct was built on the French model, and he dreaded that it would be productive too certainly of the same effects. The precise question for the House was to compare the danger with the remedy. The pretended danger was, as they could gather from the documents that had been laid upon their Table, documents that every one of them had seen published in the newspapers, that there was in certain societies a tendency to a Convention. Whether the word Convention was a bugbear that was to be held up to terrify their imaginations, he knew not, but it was of consequence to inquire a little into the nature of the thing, and not to be startled at names. A Convention, he supposed, meant no other than a meeting of the people, and if that meeting was for the discussion of any subject of general interest in a legal and peaceable way, there certainly was nothing in such meeting that could either call for or justify any such measure as the present. To a convention that had for its purpose to over-awe the legislature, and to obtain any object, either of universal suffrage, or other wild and impracticable theory, he should not certainly choose to give

it his countenance. But if there was a Convention either of individuals for themselves, or of delegates of towns and districts for the purpose of striving by petitions and addresses to the three branches of the legislature to put an end to the present most ruinous and unprovoked war, he should certainly neither be ashamed nor afraid, at least not until after the present Bill had passed into a law, to attend, and be a member of such convention. But what was to be dreaded from even the convention that was threatened, which the laws of this country were not of themselves sufficient to check? If they meant by their intended convention, to over-awe the government of this country at a moment of such unprecedented strength as the government now possessed, he would say that they were fit for Bedlam, and for Bedlam only. So perfectly and entirely was it possible for magistrates in every part of the kingdom to execute the laws, that he would venture to say, that if any man or men at such convention committed any illegal act, he or they might be sent to prison and tried for the offence as securely as if no convention existed. The danger then called for no such remedy, and it was not because any such remedy was necessary that the present Bill was introduced. It was to keep alive the passions of the people; it was to agitate and alarm their minds, so as to put them under the dominion of terror, and take from them the exercise of their rational faculties. Ministers knew well the dangerous predicament in which they stood; they had weakly, and, as he thought, wickedly, involved the country in a most disastrous war; every day plunged them deeper and deeper in the fatality which they had brought upon their country; they saw no hopes of extricating the nation from it with honour, nor of proceeding in it with success, and they dreaded all reflection on the subject: they knew that they had no safety but in depriving the people of repose; they knew that if the alarm should be suspended for a moment, and if men had time and leisure for the exercise of their understandings, the war and the principles on which it was undertaken would be scrutinized and discussed. They dreaded to encounter so hazardous a trial, and all their measures had been directed to keep alive an incessant commotion, so as to suspend all the operations of the public intellect. For this reason a subscription had been set on foot; he said for this reason, because ministers had been open enough to acknowledge

that it was not for money. It was, they had declared, to excite the zeal of the people. Zeal was one of those fervent emotions which would be favourable to their views, and which, while it lasted, would keep them from examining the objects. But the subscription, he supposed, had not succeeded to the hoped for extent; that zeal which they had aroused was not equal, apparently, to the occasion, and they now strove to awaken a more powerful emotion, that of terror! In short, it was a government of passion, a government in which ministers strove to lull asleep all the sober operations of the mind, and to awaken only the fears and terrors of the heart. Reason they dreaded, for reason was their enemy. It was well said by a philosopher of great character, that all men dreaded reason who acted against reason: and certainly it was natural, and in the order of things, that animals, which by their practice counteracted the natural course and dictates of reason, should shrink and dread, as their enemy, those who seem to be guided by its wisdom. It had been said that the committee had been spoken of in terms not the most respectful. He, for one, certainly could not speak of some members of that committee without expressing his high respect and regard for them. He was not among those who gave up his personal friendships on account of differences in political opinion. A noble Lord near him (Lord George Cavendish), had in very affecting terms deplored the circumstance, that in the present moment he differed from men so near and dear to his heart, as to make him feel it like differing from himself; so he might say that with some of those persons, though he had not ties of consanguinity, he felt so sincere a regard, and so poignant a regret, at differing from them, as to make it like a parting from himself. His early habits of respect, his warm affections, all led him to this feeling, but the present was not a time to compliment men, or to withhold from the severe duties which conscience imposed, by recollections of tenderness and esteem. He must say then, however highly he regarded some individuals of that committee, that it was made up of two characters, men who were dupes themselves, or men who were willing to dupe others. Their whole report was trifling and inconsequential; it told nothing which every man did not know before, for the last assertion about arming, the Hon. Gentleman said was merely supplemental, and was not to be taken as a com-



ponent part of the report. Then what did the report consist of? Of a collection of papers which had all been seen by the public, and which if they did contain any danger, was not a danger of to-day. It was known by every one, and steps might have been taken on the subject months ago. Their avowed intention was to procure a system of universal suffrage, and this the Hon. Gentleman said was what had destroyed France. However freely he might be disposed to agree with him, as to the wildness and impracticability of universal suffrage, he must doubt of the fact of its having been the cause of the destruction of France. On the contrary, universal suffrage was to be considered rather as the effect than the cause, for the book of the Right Hon. Gentleman (Mr. Burke) which had produced such enormous and fatal effects in England, had charged upon the French, that they had not acted upon their own principles, but had narrowed the suffrage in a way totally inconsistent with their own doctrine. But were we to argue theoretically or practically from the example of France, which the Hon. Gentleman so incessantly presented to them? Was every man who had liberty in his mouth to be considered as a traitor, merely because liberty was abused in France, and had been carried to the most shocking licentiousness? He would venture to say, that if this was to be the consequence, fatal indeed would it be for England. If the love of liberty was not to be maintained in England; if the warm admiration of it was not to be cherished in the hearts of the people; if the maintenance of liberty was not to be inculcated as a duty; if it was not to be revered as our chief good, as our boast and pride, and richest inheritance! What else had we worthy of our care? Liberty was the essence of the British Constitution. King, Lords, Commons, and Judicature, were but the forms, the basis of the Constitution was liberty, that grand and beautiful fabric, the first principle of which was government by law, and which this day they were going to suspend. He called upon the Hon. Gentleman to say, whether there was any true parallel between this country and the old government of France, that we might dread the same effects from Jacobinical doctrines, which that despotic government had suffered? France had no Habeas Corpus Act; France had no system of respect for the liberties of the people; it had not been because France had held out a mild and equal government

by laws, that France had been overcome by the doctrines of Jacobinism. On the contrary, it was a fair conjecture, that if France had had a Habeas Corpus Act, and had not suspended it, if France had upon every occasion respected the rights, and preserved the liberties of the people, the doctrines of Jacobinism would not have prevailed over the established power; he stated this as not an improbable conjecture, he did not presume to lay much stress upon any such conjecture, but it was material to the Hon. Gentleman in supporting his argument, to prove that the old government of France had been overthrown, because there was a want of power; for his argument was, that we must go on from measure to measure, until we should arm Ministers with sufficient power to resist and overcome all innovation. Now the despotism of Louis XVI. had not been sufficient to save France from the Jacobin doctrines. Were we to go beyond this despotism to give us a greater security than France possessed? His doctrines went to the utter extinction of every vestige of the Constitution; and such was the effect of his principle, that it was impossible to limit the progress of his remedies; they were all to be hot medicines; he did not admit the possibility of doing any good by the contrary practice. If one hot medicine failed, a hotter only was to be tried, and thus he was to proceed, through all the race of the most powerful stimulants, instead of trying what the opposite course of cooling mixtures and gentle anodynes might produce. What the nature of his provocatives was, he had not condescended to state. He had alluded to his former opinion, that if the laws of this country were not sufficient for the suppression of seditious practices, the laws of Scotland, not as they really existed, but as they were stated to exist, should be introduced; and so he supposed one of his plans was, that Juries should decide by a majority instead of deciding with unanimity, and that men should be punished with sentences more rigorous than immediate death; that is, should be sent to die far from all the civilized world, merely on account of a political opinion and these severities were to be introduced for what? Because any great body of people were disaffected to the state? No, no such thing! It was the boast of Ministers and their adherents, that every part of the country was most strictly united in love and attachment to the Constitution. But all this was to be introduced, because some low persons without proper

ty and without consideration in the country, were found to entertain opinions about a Parliamentary Reform that were thought to be dangerous. How long would it take to eradicate these opinions from the minds of these men? Did they mean to keep them all in confinement under this bill? They would be forward, he supposed, to disclaim any such intention. What did they mean then to do? To suspend one of the grandest principles of the Constitution of England, until there should be found no men within the kingdom tinctured with discontent, or who cherished the design of Reform. If they mean to suspend the Habeas Corpus until such time, there was an end of it to the country. And what did they declare by this to all mankind? That there was no period when it was possible to restore to the country this grand and inestimable right; that the Constitution of England was fit only for an Utopian Society, where all men lived in perfect concord, without one jarring sentiment, without one discontented feeling; but that it was utterly unfit for a world of mortal and mixed men, not fit for any state of society that ever did exist upon the face of the earth, or that was ever likely to exist. Never, never then, upon this doctrine, was it probable that we should again recover this most essential part of the British Constitution, for it was not the will of providence that society should be formed so perfect and unmixed, so free from all passions, as to meet the ideas upon which it was contended that the Constitution of England could be with safety conferred upon them. It was said that the example of France threatened not only this, but all the countries of the world. Whatever the Hon. Gentleman might feel upon this subject, there were several countries who thought differently, or who at least did not seek their protection by similar measures. They found their safer course was in being neutral as to the war, and by preserving to their people the blessings of peace and undisturbed industry. But America even felt alarmed. If it was true that America felt alarmed, it would be wise for that House to observe what had been their conduct in this alarm. Had they suspended their Habeas Corpus Act? Had they passed an Alien Bill? A Treasonable Correspondence Bill? Had they shocked every feeling, and every humane, and every considerate mind, by the scandalous rigour of their legal punishments? Had they plunged their country into a war, and loaded their people with new and excessive bur-

thens? No;—they had maintained a strict and perfect neutrality, as to the belligerent powers, and they had protected themselves at home, by exhibiting to their people, all the beauties of their own system, by securing to them all their privileges in their full and enjoyment, by enlarging rather than abridging their liberties, by shewing that so far from dreading comparison, they placed their confidence in leaving to the free judgment of the people, the most ample discussion of political doctrines. With regard to the persons who composed these societies, he certainly knew little of them; it could not be supposed that he could entertain any partial opinion towards them, at least if men were to judge of the opinion they had always delivered of him; they had never failed to speak of Opposition, and of himself personally, with exactly the same expressions as they had used towards administration. The same distrust of their conduct, the same avowed hostility appeared in their writings to both. They had certainly paid him personally a compliment, in mentioning him at the same time with the Right Hon. Gentlemen opposite, as far as regarded the splendid talents of that Right Hon. Gentlemen, but it was not equally flattering to him to be put on a comparison with that Right Hon. Gentleman, in regard to their right to the confidence of the public. It was not likely therefore, that he was actuated by any partial regard to these societies, but he considered it as an unwise and an illiberal course to take advantage of any odium that there might be against persons, in order to stigmatize measures which might otherwise be good. Though there were among those societies, men of low and desperate fortunes, who might be very ready to embrace any enterprize however hazardous, and though there might be others, whom he believed from their characters, to possess wicked intentions; yet still this was no argument with him for throwing forth a general obloquy on measures which were in themselves harmless. To deny to the people the right of discussion, because upon some occasions that right had been exercised by indiscreet or bad men, was what he could not subscribe to. The right of popular discussion was a salutary and an essential privilege of the subject. He would not answer long for the conduct of Parliament if it were not subject to the watch of the people. They all entertained becoming respect for the Executive Government, that is for the chief magistrate of the kingdom, but their respect for the



King did not prevent the vigilance of Parliament. And in his opinion the best security for the due maintenance of the Constitution, was in the strict and incessant vigilance of the people over Parliament itself. Meetings of the people therefore for the discussion of public objects, were not merely legal but laudable, and unless it was to be contended that there was some magic in the word Convention, which brought with it disorder, anarchy and ruin, he could perceive no just ground for demolishing the Constitution of England, merely because it was intended to hold a meeting for the purpose of obtaining a parliamentary reform. With respect to their plan, that of universal suffrage, he had never had but one opinion on the subject. He had constantly and uniformly considered universal suffrage as a wild and ridiculous idea. When his noble relation, the Duke of Richmond, had one day taken pains to explain his ideas on this subject, a learned and ingenious friend of his had said to him, with as much truth as wit, "My Lord, I think the best part of your Grace's plan is its utter impracticability." He had always been of opinion that it was impracticable, and though he could not agree with the opinion that rather than continue the present state of representation, he would incur all the hazards of universal suffrage, yet he was ready to say that the measure of last year, the horrid and detestable prosecutions, the scandalous sentences that had been passed, and the scandalous way in which they had been executed, did not tend to make him wish less than heretofore for some reform that should protect the country against these things. If the Habeas Corpus Act were suspended upon such an argument as had been advanced this night, and we were to go on step by step, as we were threatened, with the introduction of the Scots Criminal Code, with the extinction, perhaps, of the trial by jury, and he should then be asked what was his opinion—he did not know but he should be ready to prefer any change to such a horrid situation as the country would be then reduced to. He was ready to own, that the events which had lately passed in France, had made a most powerful impression on his mind. He should not do justice to himself, if he did not frankly confess that they had served to correct several opinions which he had previously held—they had also served, however, to confirm many former opinions. They had convinced his mind of the truth of

an observation of Cicero, one of the most common, which is early taught in our grammars, but from which, when a boy, his heart revolted. It was this,

“ Iniquissimam pacem iustissimo bello antefero.”

He had, in the ardour natural to youth, thought this a most horrid and degrading sentiment. What, give up a just and glorious cause, merely on account of the dangers, and, perhaps, the miseries of war! When he came to maturer years, he thought the sentiment at least doubtful, but he was now ready to confess, that the events of the French revolution had made the wisdom of the sentiment clear and manifest to his mind. He was ready to say, that he could hardly frame to himself the condition of a people in which he would not rather covet to continue, than to advise them to fly to arms, and strive to seek redress through the unknown miseries of revolution. Our own glorious revolution had been happily clear of all these horrors—that of 1641 had shewn a great deal of this kind of calamity, but the French revolution had exhibited the scene in its most shocking aspect. The more, however, that his heart was weaned from such experiments, the more he detested and abhorred all acts on the part of any government which tended to exasperate the people, to engender discontent, to alienate their hearts, and to spirit them up to resistance and to the desire of change. The more he deprecated resistance, the more he felt bound to oppose all foolish and presumptuous acts on the part of Government, by which they shewed disdain for the feelings of the people, or by which they strove to keep down all complaint by inhuman severities.—He was convinced that wise men, deliberately weighing the relative duties of Government and People, and judging of human nature as it is, would see the wisdom of mutual concessions,—would recommend incessant conciliation, and would deplore all measures which should exasperate and inflame the minds of the people to wish for the horrors of a change. Nothing was so clear from all the history of England, as that we had never been so fortunate as when the Government had conciliated the people—never so miserable as when a wretched system of persecution had been unhappily and unwisely adopted by Ministers. Persecution had never been successful in extirpating opposition to any system either religious or civil. It was not merely the divinity of Christia-

nity that had made it triumph, for other religions, certainly not divine, but which were founded in imposture, as well as a number of the wildest sects, had thriven and flourished under persecution; on account, as he believed, of that very persecution. The human mind was roused by oppression, and so far from yielding to persecution, exerted all its energies in consequence of the attacks it had to encounter. Was it believed, that if there was a party in this country, who cherished in their hearts the desire of reform, that the sentiment could be extirpated by exercising over the individuals legal severities? Impotent were the men who thought that opinions could be so encouperated. There were some things that were most successfully vanquished by neglect.—America held out to us the true course and the wise feeling. Let us, like her, demonstrate to every man the blessings of our system. Let us shew that we not only are convinced that it is good, but that it will bear to be examined and compared with any other system. Let us make the people proud to court comparison, and strive rather to add new blessings to those they enjoy, than to abridge those which they already possess. Let us think for a moment what must be the joy which this measure will produce in France? How will it be received in the Convention? Barrere will, no doubt, triumphantly hold it forth as a proof that all the stories which he has tried to propagate in France, of there being a party in this country favourable to them, are true. At last he will say, it had broke out to such a height that Ministers could no longer think the Government safe, and the Constitution was to be suspended in order to protect the State against the French party. If any accounts of the true state of this kingdom had reached France, which told them that we were united almost as one man against all doctrines which led to anarchy, Barrere would hold up this measure in contradiction to this faithful report, and say that it was obvious there must be a formidable party in England for French doctrines, when one of the most beautiful branches of our boasted Constitution was to be lopped from the tree. Nay, though he for one had always treated with scorn the idea of an invasion, he asked those who held out this fear to the country, if any thing could be more likely to induce the French to undertake such an enterprize than by thus giving to them the impression that we were threatened with an insurrection at home!—Some words had passed, as if he had

the night before said that he would withdraw his attendance from the House. He thought it incumbent upon him to say, that he should act in that respect, as upon reflection he felt it to be his duty to his constituents. He had certainly not said that he should withdraw from the House. He concluded with a strong admonition to the House on the present alarming measure. He saw it was to pass—that further effort was vain—that the precipitation with which it was buried on, made it idle for him to hope that argument would induce them to hesitate; and all that remained for him was to pronounce his solemn protest against a measure pregnant with consequences so fatal to the established order, and strength and freedom of the country.

The CHANCELLOR of the EXCHEQUER said, that from the lateness of the hour, and having little inclination to go much at length into a question that had already been so fully discussed, he meant to detain the House but a very short of time, indeed—the able manner in which this Bill had been defended and argued by his Hon. Friends that night, made it unnecessary for him to say much. The Right Hon. Gentleman had begun and concluded his speech with holding out, as an undeniable argument, that this measure went to impair materially, if not entirely to destroy the Constitution of this Country—a mode of reasoning that he could never allow to pass without a reply; and, pursuing this strain of argument, had pronounced, in very fine language, a most pathetic funeral oration, on the supposed departed Rights and Liberties of British Subjects which he stated as having expired with the introduction of the present Bill—a Bill, in his mind, nothing stronger or worse than what had been known, from experience and the practice of our ancestors, to be a wise and a proper measure, when any case existed that made such a measure necessary. This necessity, however difficult it might be to convince the Right Hon. Gentleman of it, (who was not apt to be alarmed in any situation), he trusted, was fully made out to the satisfaction of all those who had given themselves the trouble to bestow the least consideration on the subject; and that necessity being proved to exist, it came then to be considered whether it was of a degree sufficient to justify the suspension of the Habeas Corpus Act? which was, properly speaking, the only question before the House. He granted that this was a measure of great importance, and a remedy only to be applied when the case



was so urgent as to require it, as he thought the present did. Therefore, the fair state of this question, which Gentlemen had to put to their own minds, was simply this, Whether the danger with which the Constitution and the Government of this country was threatened, by the practices now expose, was or was not greater than any danger that could result from putting into the hands of the Executive Government a more than ordinary degree of power, in order to resist what they considered, and Parliament considered, as a very alarming conspiracy in this country? The Right Hon. Gentleman had carried his argument so far as to state that if this Bill passed, it at once took away all the Rights of the People, and privileges of Parliament; a doctrine which he never could admit, by whatever ability or eloquence it might be supported. But on this point it was an important consideration which had not at all been touched upon by any of the Hon. Gentlemen who argued against this Bill, that it was only a temporary measure, adapted to an existing evil, and continuing in force for only a little more than six months, to invest the Executive Government with a temporary discretionary power of imprisoning persons for that time, upon suspicion, without bringing them to trial—all the Rights of the People, and all the privileges of Parliament, remaining uninterruptedly the same, and attaching all the while the same responsibility upon Ministers that they were liable to in every other situation where they acted, and placing them in a situation equally answerable for any abuse of that discretionary power, should they be guilty of any abuse of it. Stating the question in this view, which was the real and proper state of it, could any gentleman think that all the Liberties of the Subject and the privileges of Parliament were so completely done away by such a bill, as to make it a question whether a Member of Parliament ought or ought not to give up his attendance in Parliament to the interests of his Constituents? He would not do those Hon. Gentlemen the injustice to suppose that any of them thought so for a moment; and it would not be doing justice to their own characters, were they to make any such declaration. The Right Honourable Gentleman, and those who argued on the same side, had contended that in this, and other measures of Government there was a strong imitation of the French system; upon what grounds they knew best, but hitherto they had never mentioned them to the House.

Where was the comparison to be found? He would beg of Gentlemen to attend for a little to the state of the two countries.—Here a case was stated, and made out, proving that there was a party in this country, whose avowed system aimed at the destruction of all civilized order, the annihilation of Parliament, and the total subversion of the British Constitution itself, by introducing that abominable and ruinous system of Jacobinism which had proved so fatal to France, and threatened the destruction of every established Government in Europe. This being the case stated, it was intended to oppose this conspiracy by a legal and limited measure, of a nature which the experience and wisdom of our ancestors had approved and found most beneficial. What, then, was to be compared to this in the situation of France, under the influence of the present ruling power in that country, miscalled a Government—a power which, to support its reprobated, detestable, and presumptuous usurpation, had recourse to every stratagem that fraud, robbery, and injustice, could suggest? It was, therefore, unfair to impose any such comparison upon the House—for, in the present instance, they were doing no more than, by English principles, resisting French crimes; and there could not be found the least analogy or imitation that warranted such a comparison. The Right Hon. Gentleman had then proceeded, in the climax of his imagination, to foresee and augur consequences the most portentous, ominous, and inauspicious, from the arguments of the Right Hon. Gentleman who sat near him; and taking this as the first step of the ladder towards the destruction of the Constitution, seemed terribly afraid about the extent to which it might be carried; and on this point he had produced another singular argument, which was, that because all the measures that had yet been taken had not checked the evil to which they were applied as a remedy, you are not to persevere in endeavouring to get the better of it, by any stronger means that may be supposed more efficacious. But here it might be asked, whether if those measures had not been taken, and the vigilance of Government exerted, the evils complained of might not have been much greater now than they really were? and whether if no such steps had been taking during the last two years, we should have enjoyed the tranquillity that had prevailed for that period.—We should have been hurrying on to the same scenes of mischief which had now been opened to the country,

the consequences of all which we had been saved from by the vigilance of Parliament and the exertions of Government, assisted by the general and prevailing opinions of the country. The Right Hon. Gentleman had then said, that if we dreaded all that our alarms had suggested, and found that the measures adopted last year had not succeeded in checking those parties, we ought not to persevere by more severe measures, when there was reason to think that such measures had been of little avail, and that those of a cooler and more moderate nature would have been more adequate; but to what did the Right Honourable Gentleman mean to apply those mild and moderate remedies? Did he suppose that the progress of a Jacobine Convention, were it to be once established in this country, was to be stopped, and its consequences avoided, by indulgence and concession? Or that indulgence and concession was fit to be applied as a remedy, to so daring an attempt upon the existence of the Constitution. The Right Honourable Gentleman wishes to preserve the British Constitution as it is, but certainly that cannot be while the systems of those Societies meet with indulgence and concession. For their own language clearly expresses that they will make no compromise with you; and it must be as clear, from their proceedings, that no indulgence or concession can be given them short of a surrender of every thing that is valuable in the British Constitution. It then must be allowed that resistance, and the strongest resistance that can be made, is absolutely necessary, notwithstanding all that had been so prophetically augured against severe measures, even in extreme cases. The Right Hon. Gentleman had said, if there are such persons, to be sure you cannot like them; but never think that by persecution you will get the better of opinions, whatever they may be. Now if this sort of toleration to persons of the description which the Members of those Societies were proved to be, was to be given, what did it amount to? Nothing but toleration of the worst species of anarchy, sedition, and treason. In his idea about persecuting for political opinions, the Right Hon. Gentleman needed not to suppose that there was any particular intention, by this Bill, to go too great a length in that way; and, once for all, to answer that question, of "where are you to stop?"—he would say, that the persecution, in no instance, ought to extend beyond what the necessity of the case required; and the temporary means

proposed by this Bill might be supposed the best remedy in the present case. He came next to those points on which the Right Honourable Gentleman had argued at greater length than he thought necessary viz. the degree of necessity that existed, the proofs of that necessity, and the nature of the remedy applied to the case. All these points he considered the House to be perfectly satisfied about, and saw no reason the Right Honourable Gentleman had to introduce into that part of his speech so much in favour of the right which the people had to meet for legal purposes, and in a Constitutional way, nor their right to petition Parliament for a reform in the Representation of the People, because these were points that never were disputed, and had no connection with the question before the House. With regard to the policy of such an application to Parliament, when that question was regularly before the House last year, he had sufficiently explained himself on the subject of Parliamentary Reform, and his opinions were still the same. He denied that there was any analogy between Societies for Reform in Parliament, with an intention legally and constitutionally to improve the Representation, and the Convention proposed by those Jacobine Societies for the destruction of Parliament, not its improvement; that the latter was the design of these Societies was clearly proved on the authority of their own records; the bulk of them did not even pretend that Reform was their wish or views; such a measure was not in their minds nor their mouths neither did their actions in any way correspond with those of men who really meant well to their country. To give any sanction to them, under the idea that their object was a legal and Constitutional Reform, was too ridiculous a thing to merit a moment's notice; as well might they talk of admitting legal conspiracies and legal assassinations, as that those societies had any legal purpose whatever in their system. To corroborate his argument on this point, he referred to the report, and read extracts from the proceedings of the Society for Constitutional Information, and the London Corresponding Society, which he contended were the main-springs in this destructive system, which called for such immediate and powerful resistance. What he had read from their own books, he thought, proved sufficiently that it was from hypocrisy only that they made use of parliamentary reform as a pretext for their real and mischievous designs; and the papers inserted in the report, were, in his mind,



a complete answer to all who confounded them with parliamentary reformers, and likewise to those who had said that the report contained no new matter whatever. He then proceeded to read more extracts from the Corresponding Society. In one of their proceedings they appoint a committee to watch over the proceedings of parliament, with a view to controul whatever may appear to them improper conduct, and which they are to do through their intended convention, expressing at the same time, that as no redress of their grievances was to be expected from that quarter, it was their duty to repel tyranny by the same means by which it was supported. On this point he was astonished to hear the same arguments used by the Right Hon. Gentleman which had been used on a former night, respecting the right which the people at large had to watch over the proceedings of parliament, and to interfere when any measure was going forward which they might conceive to be against their interests. What astonished him was, that any thing of this sort should be offered as a palliation for the conduct of this society; for after their union with the other in the same system and objects, they avowedly came to resolutions that they were not to appeal or apply to Parliament for redress of their supposed grievances, but were to proceed to acts of authority and controul over the functions of Parliament. He then said, with regard to nothing new being in the report, that there was enough proved by it, and whether the proofs were old or new, provided they substantiated the grounds upon which the alarm took place, it was of little consequence. However, they were not all old, for until the seizure of these papers, the correspondence with the club at Norwich had never been known, and it was one of the most important discoveries that those papers contained, as it brought to light the general intention of assembling their Jacobin Convention. As to what had been known two years ago, could any body say that these transactions were unconnected with the subsequent and progressive proceedings of those societies, and did not form a very material part of that chain of conduct which it was necessary to trace from its origin down to the present moment? One part of the report the Hon. Gentleman had allowed to be new; he thought the whole was new, but he meant that which stated that these societies were preparing arms to be put into the hands of those who were to carry their measures into execution.

But it had been curiously objected to this article, that not being in the body of the report, but given separately, it was not to be depended upon as so authentic. To his he would answer, that this piece of information was cautiously given, because the committee had not at the time the report was made up, been able to make so full an enquiry as the importance of the subject required; they however were convinced now that they would soon be in possession of such information as might lead them to propose to parliament some further measures respecting that article. Another reason for making it a separate article was that the full information contained in the report respecting the intended convention, was, in their minds, sufficient to warrant the proceedings that were intended to be founded upon it. Then, as to the propriety of the remedy, without again recurring to the arguments used against persecution for matters of opinion, he would shortly say, the remedy amounted to nothing else but putting a legal restraint on criminal actions. The present amounted, in his opinion, to a conspiracy of that nature which was an equal, if not a stronger reason for suspending the Habeas Corpus Act than the cases of invasion and rebellion, which had been alluded to. He then seemed to express some degree of surprise that Mr. Fox should have ascribed the success of the Christian religion to pure human action, and not to the divinity of its institution. And lastly, he came to that part of the Right Hon. Gentleman's speech which noticed the effect which this measure would have upon our enemies, but first he would shew how it would affect our own domestic enemies—it happened that the passing of a Habeas Corpus Bill was the very first measure that they had fixed upon as a signal to assemble their convention and put their schemes in practice. Now if this Bill was passed before this doctrine of theirs was promulgated either at home or to our foreign enemies, it might easily be guessed what would be the effect upon this desperate set of men. With regard to the measure being a likely one to invite the French to invade us, the Right Hon. Gentleman had spoken boldly and nobly on that head, when he said that he did not dread an invasion, but would not invite one. In this opinion he most perfectly agreed with the Right Hon. Gentleman; the material difference between them was this, that he believed the effect would be quite otherwise on our French enemies; and as to disaffected persons in this

country, whatever their numbers might be, it was proper that the vigilant exertions of the executive government should be at least equal to their activity. He concluded a long speech by defending the general policy of the measure, and apologising to the House for detaining them so much longer than he at first intended.

Mr. Fox, in explanation, said the Right Hon. Gentleman had completely misunderstood and misstated what he had said respecting the Christian religion, although he had taken particular pains to make his meaning clear. What he had said was, that the Christian religion had not been crushed by persecution, but owed part of its success to that cause; and that even other religions, founded on imposture, had likewise spread under persecution. He repeated what he had said respecting a proper vigilance in the people, about the proceedings in Parliament, and their right to associate for legal purposes. He declared, if such a Bill as had been alluded to by his Hon. Friend, (Mr. Windham) was ever to be introduced into that House, he should think it his duty to associate with persons from the different counties and towns in England, to resist it by every legal and constitutional means. With regard to disaffected persons, no country was without them, but the Bill was holding out to our enemies that they were so numerous as to require the strongest efforts of the Executive Government to resist them.

The CHANCELLOR of the EXCHEQUER expressed his satisfaction in the explanation given by Mr. Fox, and assured him that what he had said arose from misconception.

Mr. THOMPSON said he rose not to justify any of the Societies. If they were criminal let punishment fall where there was guilt. He wished only to explain the correspondence alluded to in the Report of the Secret Committee, between the Corresponding Society, and the Society for Constitutional Information, of which he was a member. The Society for Constitutional Information would not agree to the use of the word Convention, which they thought might give a false impression of their intentions, and on the Friday following, they resolved that they would not send delegates to any meeting. Why was not this resolution mentioned in the Report? No circular letter had been sent to other societies by the Society for Constitutional Information; and he asked the Chancellor of the Exchequer, as a member of the

Secret Committee, whether he did not recollect having seen the resolution above mentioned in the Books. If he had not, it must have been omitted by the Secretary either through negligence or design.

The CHANCELLOR of the EXCHEQUER admitted that no circular letters had been sent by the Society for Constitutional Information. The books of the society appeared to be kept with the utmost regularity in point of form. He did not recollect whether or not they contained any such resolution as the Honourable Gentleman had stated, and wished him to mention the date.

Mr. THOMPSON said he did not recollect the date, but was certain as to the fact; and if the resolution did not appear on the books, the Secretary must have suppressed it.

Mr. GRAY said this was a new fact to prove the whole Report of the Secret Committee a scandalous imposture. A member of the House had stated a resolution to which he himself was a witness. Could the Chancellor of the Exchequer deny that it was upon the books? To say that he did not know, was to say that the Committee had reported to the House on the contents of papers which they themselves had not examined.

The CHANCELLOR of the EXCHEQUER said he should give no answer to a question put in such a tone.

Mr. CURWEN observed on the rashness with which the House was proceeding, without ascertaining facts. He had quitted the Society of the Friends of the People on no suspicion that the gentlemen who remained in it would suffer themselves to be misled, and was still the advocate of Parliamentary Reform.

Major MANTLAW said the arguments for the Bill, as far as they depended on the conduct, of one of the societies, were now admitted to be false; and the Report of the Secret Committee was contradicted on a point of fact by the only member of the House who could speak to it of his own knowledge.

Mr. JAYLL reprobated the whole proceeding as wearing every feature of imposture. How could he know that the books were not forged or garbled, and the Secretary bribed to falsify them. He concluded with moving to adjourn.

Strangers were ordered to withdraw, after which the debate continued for some time with great warmth; and the house divided.

Ayes, ..... 33  
Noes, ..... 183



The Bill being read a third time,  
Mr. HARRISON moved that the following clause should be added by way of rider :

" And be it further enacted, That if any person shall be committed to prison under the powers of this act, and shall not be proceeded against or indicted in the term next after such commitment, such person shall be delivered or admitted to bail in like manner as if the act had not been made."

Which was negatived without a division.

After further debate, the gallery still continuing shut, the House divided on the question that the Bill do pass.

Ayes, .....	136
Noes, .....	28

The CHANCELLOR of the EXCHEQUER then moved an Address of Thanks for his Majesty's message ; and that a copy of the Report of the Secret Committee be sent to the Lords.

Mr. SHERIDAN moved that the Report be printed, which, after some conversation, was agreed to.

After the division on the question of adjournment moved by Mr. Jekyll, an altercation took place on the re-admission of strangers.

The CHANCELLOR of the EXCHEQUER insisted in the most peremptory terms, on the doors being kept shut.

The discussion on the misrepresentation of the proceedings in the Society for Constitutional Information, as stated by Mr. Thompson, was revived. It was said, in strong terms, that the Secret Committee had falsified or misquoted the books of the society.

Lord Mulgrave and Mr. Jenkinson returned from a re-examination of the books.

Mr. SHERIDAN, Mr. CURWEN, and Major MAITLAND, contended that from the statement of the members of the Secret Committee, there was an acknowledged error or imposition in their report.

The CHANCELLOR of the EXCHEQUER confessed that there was a mistake, but denied that it was intentional, or of sufficient consequence to justify postponing the passing of the Bill.

Mr. WINDHAM, with great warmth, defended the Secret Committee.

Mr. GRAY justified his former expressions, in his question to Mr. Pitt, and retorted with great severity.

He was called to order by General Smith, and the Speaker interposed.

Mr. Fox insisted that the detection of this error, if error it must be called, was a new proof that the report of the Secret Committee was founded on imposture.

The CHANCELLOR of the EXCHEQUER lost his temper, and made use of some expressions not quite within the rules of order; which Mr. Fox rebuked with the dignified spirit that always distinguishes him upon such occasions.

After a debate of the greatest heat that perhaps ever occurred in a House of Commons, during which the Speaker conducted himself with the utmost candour and propriety, the question was put on the motion that the Bill do pass.

Adjourned at three o'clock on Sunday morning.

*Minority who divided on the Motion to Adjourn, to prevent the third reading of the Bill to suspend the Habeas Corpus, on Saturday May 17th.*

Fox, C. J.	Courtenay, John	Western, C. C.
Maitland, Hon. T.	Burch, J. K.	Thompson, Thomas
Howard, Henry	St. John, St. Andrew	Bouverie, Edward
Hussey, William	Taylor, M. A.	Vyner, Robert
Jekyll, Joseph	Milnes, R. S.	Fletcher, Sir H.
Baring, Sir Francis	Winnington, Sir Edward	Fitzpatrick, General
Wycombe, Earl	Spencer, Lord Robert	Erskine, Hon. Thomas
Harrison, John	Byng, George	Milbanke, Ralph
North, Dudley	Curwen, J. C.	Hare, James
Sturt, Charles	Rawdon, Hon. John	Francis, Philip
Antonie, Lee	Aubrey, Sir John	Russel, Lord William
Lambton, Henry	Church, J. B.	Jervoise, C. J.
Tarleton, Colonel		

#### TELLERS.

Sheridan, R. B.

Gray, Charles

*Additional members who voted on the second division in Adjournment the same Day.*

Cavendish, Lord G. H.	Wharton, John	Smith, William
Howell, David		

*The speech of Mr. Booth, member for Chester, and afterwards Lord Warrington in 1681, on the violent proceedings of the Privy Council in the reign of Charles II.*

"There is not any thing that an Englishman can claim as his right, that we value more than freedom and liberty, I mean that of the body; because imprisonment is a sort of death, and less tolerable to some than death itself: for by it we are deprived of all our earthly comforts. What is a man the better for having never so great an estate, never so great honour, or what else is desirable in this world, if he is restrained of his liberty! Now there are several sorts of restraints or imprisonments, and they are all forbidden by our law, unless the cause be very just and reasonable; it is not for bare surmises or vain stories that a man shall be imprisoned and hurried from his abode; but only for such cause as shall prove that it is for the good of the government, and the support of it, that this or that man is imprisoned or restrained. Although the law has taken very good care, yet the subject is often abused in his liberty, sometimes by the courts in Westminster hall, sometimes by other courts and particular magistrates: but the greatest cause of complaint proceeds from the Privy Council.

"The Privy Council that is, though they have been much to blame in this particular, yet it is not a new thing that they practise; but this itch of sending for and imprisoning the subject upon vain pretences, has descended from one Privy Council to another, like an infirmity that runs in a blood; for no sooner is a man made a Privy Councillor, but this spirit rests upon him. This mischief was early espied, even in Henry III's time, and several laws have been made to restrain the Privy Council.

[Here Mr. Booth recited the various acts for securing the liberty of the subject,]

"These are laws that are as much in force as any statutes whatever, and ought to be as duly observed; but I beseech you consider to what a degree they have been violated by the Privy Council; How have they sent for gentlemen from all parts of the nation, upon mere slanders and stories? No man could be quiet, but upon any groundless pretence, away went a messenger, to bring up that man, not considering the great charge and trouble they put the gentlemen upon by it. I will mention only that of Sir Giles Gerrard; he was sent for up by a messenger, to answer to I know not what business about a *black box*, and who charged him with it: but when he came to be examined it proved nothing but town-talk, and what a pother did they make? In our country when a man makes a great stir about a matter, and it ends in nothing that is significant, we say, *Billy has found a pin*. So, I pray, what did this hurly-burly of the *black box* end in, but nothing that was worth a straw? And to this mighty purpose Sir Giles was fetched from his house in the country: and several other gentlemen have been thus used against law and reason. Its strange the Privy Council should not remember the Bill of Habeas Corpus, which passed in the last Parliament, that might have brought to their remembrance these laws that I have mentioned, and might farther convince them how precious a thing we esteem our liberty:

it puts me in mind of the Petition of Right, and what I have heard and read after it was passed, how soon it was violated and broken.

"The Privy Council has been very unjust to these gentlemen whom they have molested by their messengers, in that they have not made their accusers to make good their accusations as the law requires, 37 Edw. III. 18, for then idle stories would not be so current, by reason of the punishment inflicted on those false accusers by 37 Edw. III. 18, and 38 Edw. III. 9. which laws are grounded upon the word of God, Deuteronomy, chap. xix. ver. 18 and 19. But now such fellows as are mentioned in the 37th Edw. III. 18, and in 42 Edw. III. 3, who make their accusation for malice, or for revenge, or singular benefit, more than for the profit of the King or his People; these, I say, shall be allowed to accuse honest men, though they cannot prove a word of what they say, and for these devices are we to be forced from our habitations to appear before the King and his Council. Methinks it's hard play; and yet what remedy have we left but to sit down and be quiet! But without doubt the law intended a redress in these cases, for 23 Edw. 4, says that whatever is done contrary to that law shall be redressed and holden for none; but it does not tell us how satisfaction is to be had, but since it is left uncertain, I hope for the future we shall so order it, that every man may have relief against this great oppression, and that I humbly move; for if we let this alone, we leave an arbitrary uncontrollable power in the Privy Council, which will never stop till it has made the law subject to them.

"But I have heard it objected, that if this power of sending for people be not allowed to the Privy Council, then you put them in a worse condition than any justice of peace, because by his warrant he can send for any body in the county where he lives. I must in the first place deny this altogether; for the consequence is not true: in the next place, I say, that the law is the best judge of this, whether the Privy Council ought to have such an unlimited power, and what the law has determined over and over again ought not to be disputed by us; besides, it is a thing of dangerous consequence, to put discretion into the balance with so many written laws, which conserve so dear a thing as our liberty.

"But the power of the Privy Council is not hereby made less than that of a justice of peace; for a justice of peace it is to be supposed, will not send out his warrant but upon a just and a reasonable ground: what justice of peace ever sent out a warrant of the good behaviour against any person; but he either first heard the party accused, (which is the juster way) or else the matter was proved upon oath! Or when was any warrant of the peace issued out but it was grounded upon the oath of him that demanded the surety of peace? And whatever warrants or precepts are granted by a justice of peace, they ought to be for just causes, or else he violates his trust: so the Privy Council may upon a just accusation send for any person, but without that they cannot, and therefore I do not see wherein a justice of peace has a greater power than the Privy Council; or if he had, yet it would not be so great a mischief, for he can only send for any person that is in the county; but the Privy Council are not limited to this or that country, but their power extends all over England."



## HOUSE OF LORDS.

MAY 17, 1794.

THE Order of the Day for the Lords to be summoned, having been read,

LORD GRENVILLE rose and presented a Message from his Majesty. The same having been read,

LORD GRENVILLE moved, That it be taken into consideration on Monday,

THE DUKE OF GRAFTON attacked his Majesty's Ministers, for bringing forward a Message from his Majesty, stating that the country was in imminent danger, and postponing the investigation of the measure, which they meant to oppose to that danger for forty-eight hours. His Grace alluded to what had passed in the House of Commons, and thence by comparison inferred that the Ministers were deficient in that respect and attention which was due to the House, and to the dignity of their Lordships.

THE EARL of LAUDERDALE pursued the same topics but carried it farther, by contending that as a communication had been made to the other House of Parliament, and they had acted upon it, merely to state the King's Message, and not at the same time to make the communication, was to degrade the dignity of the House, by treating them as if they were secondary, and subservient to the House of Commons. The import of the Message was important and pressing, the sooner, therefore, the House knew and could proceed to deliberate upon and discuss it the better.

LORD GRENVILLE rose to justify himself and the rest of his Majesty's Ministers from the imputation urged against them by the Noble Duke and the Noble Earl. Far was it from their intentions to treat that House unbecomingly, or with the smallest disrespect, nor could he conceive, that on a fair consideration of the proceeding of that day, any such inference were warrantable. The Noble Duke had argued, as if it had been universal, when a Message was brought down from his Majesty, for a motion to be made for an Address of Thanks for the same, and that it should be followed up by another Motion, to resolve that his Majesty's

Message, should be taken into consideration the very next day of the House's Meeting. If the Noble Duke, from so long a seclusion from Parliamentary business, had forgot what the practice of the House was, it would not be amiss for the Noble Duke to reconsider the subject, and govern his political conduct accordingly. The mode adopted that day appeared to him to have been rather calculated to avoid censure, than to provoke it. The substance of his Majesty's Message was confessedly of the utmost importance; was it therefore a matter of blame in Ministers, that by the mode of proceeding adopted, they afforded their Lordships time for deliberation? Had the case been otherwise, had they brought in the Message, and suddenly proposed a measure upon the subject, the House with a much stronger colour of reason, might have complained of unnecessary precipitation and indecent hurry. The Noble Earl had mentioned the measure in agitation in another place, and had chosen to suppose that their Lordships were treated as the dependants of the House, at least that Ministers meant to put them in that degrading situation. The Noble Earl well knew, that no such thing was intended, and that it was impossible, under the circumstances of the case, to act otherwise than Ministers had done. With regard to that House regulating their proceedings by the proceedings of the other House of Parliament, while so good an understanding continued between the two Houses as happily existed at present, it was not at all extraordinary, that the one House should be in some measure apprised of matters of an important and pressing nature in agitation in the other, and should regulate their own proceedings accordingly.

The Duke of GRAYTON said, he was afraid he must still differ with the Noble Lord about an essential point, viz. the Constitution of that House. As long as the House existed—as long as the dignity of their Lordships remained, either in shape or substance, he would stand up in its support, in the face of their Lordships, in his place as a Peer of Parliament; and he would also maintain the same argument to the people at large. He was obliged to the Noble Lord for the advice he had been so good as to give him respecting his political conduct; but he had long since adopted the line of politics he thought it right to pursue, and he had no objection to meet the most scrupulous enquiry into his political conduct, from the first moment of his public life to the present

hour. He still continued to think the communicating a message of such importance, and then delaying to follow it up with the notification of some measure which appeared to his Majesty's Ministers proper for the occasion, a degradation of the dignity of their Lordships, and an insult (if he might be allowed to use such a word) to the Legislature itself. It was well known that a similar Message had been delivered to the other House, which his Majesty had brought forward that day before their Lordships, and that a communication had been made upon it.—Why was it not thought fit to make a similar communication to their Lordships? The Noble Secretary of State had argued, that, by moving that his Majesty's Message be taken into consideration on Monday next would afford time for deliberation.—Deliberation on what? The House had heard his Majesty's Message: that Message informed them of the imminent danger. Upon what therefore were they to deliberate? If Ministers had made the communication that had been made to the other House, or had proposed a measure in the outline, which they meant more fully to explain on a future day, there would have been real and serious ground for deliberation; but to talk of deliberation, with nothing to deliberate upon, was ridiculous and laughable. The Duke said, he had long seen the difficulty of the moment coming on, he ascribed it altogether to the pernicious councils of his Majesty's Ministers. He had given it as his opinion in private and in public, wherever he was, and had mentioned it as the inevitable consequence of the measures so ill advisedly pursued. The Duke added some other pointed observations to support his assertion that its present proceeding was inconsistent with the respect due to their Lordships' dignity.

Earl STANHOPE declared that he should not be surprised at any atrociousness, at any treachery, at any wickedness that could be attempted under the sanction of his Majesty's Ministers, after what he had lately seen practised in this country. With regard to the present measure, the ground and pretence for it was the most "impudent humbug" that ever Ministers had the audacity to state, if his ears deceived him not. It was an inference neither supported by logic, by fair reasoning, or by truth of conclusion, drawn from a miserable conclusion, drawn from a miserable collection of papers, most of them published two years ago. Those papers were written by a set of men, honest in their inten-

tion though not rich, nor of high rank. They might from defect of education have been somewhat "inaccurate" in their expressions; (a laugh from Ministers) but their intentions were clearly legal, as their professed aim was to obtain a redress of grievances by legal means. That such was their object, was undeniable from their frequent use of the term "legal" in all their writings. That the meetings these men had held, were not always considered criminal, was obvious to every man who was at all acquainted with the public transactions of the past twenty years. During the American War, a meeting had been convened by public advertisement; the name of which, he cared not much about; it might be deemed a Congress, a Meeting of Deputies, or a Convention; but they assembled in the Council Chamber of Guildhall, where the Common Council usually sat. A principal member of this meeting was a brother of the present Noble Secretary of State, and there were many other Gentlemen present of character and credit. The design of the Meeting was to deliberate on a reform of abuses, a redress of grievances, or a Reform of Parliament. (Lord Grenville shook his head.) The Earl said he cared but little what Noble Lords shook their heads, when he was stating a fact to which he was witness, as he was not ashamed to say that he was present with the other respectable persons he had alluded to at that legal meeting. Many persons, his Lordship said, of high rank and exalted station at this moment, had notoriously taken the lead in endeavouring to procure a Reform in Parliament. Even the Minister himself had taken pains to be distinguished as one of its advocates; and a Noble Duke had, in that House, proposed that every man in the kingdom should have a vote. After such persons had lent the weight of their characters, and the full extent of their great abilities, to promote such a purpose, was it to be wondered at, that men of lower rank, of less ability, but not of less integrity, should have caught the flame, and attempted to tread in the same footsteps? If these humbler agitators of the question of Reform in Parliament had acted criminally, their prouder predecessors were equally criminal, and how hard a measure of justice was it to punish the weak by the hands of the strong, who had been able to gratify their ambition, and possess themselves of power. The present measures of Ministers, his Lordship said, he considered as neither more nor less than obtaining a power to erect a Bastile in England, in or



der to immure every man who thought differently from Ministers, and had spirit enough to assert and maintain his opinion publicly. He declared, that he had been guarded and cautioned without doors, against saying any thing that might bring himself into danger or disgrace, but in that House he had said, and as long as he was permitted to speak in it, he would say what he thought, provided it was not contrary to the rules of the House. Possibly he might soon be bastiled, he would therefore speak out while he had permission to speak at all. He cared not what happened to him, because after the Constitution was gone, self-existence was of no consideration. He did not wish to outlive the Constitution a single moment. If the Constitution warranted such proceedings as had lately taken place, it was not worth preserving. His Lordship took occasion to advert to the circumstances of the war, and said, if the news rumoured in town was true, the state of our prospects were deplorable indeed, and begged leave to be understood as speaking from the authority of those who thought as Ministers did respecting the war, and did not think with him, who had uniformly deprecated the war, as a most fatal measure for this country to undertake.—If the news, such as report gave were true, his Lordship said, it must cast a gloom on the mind of every man, who had the interest of his country at heart, however sanguine his hopes might be of its prosperous continuance, or its happy termination. He warned their Lordships of the danger of provoking the temper of the people of this country too much, he wished them to reflect on the dissatisfaction which the people must feel at the measures which Administration were pursuing to inspire terror into those who disapproved of their conduct. The erecting a Bastile in this country might answer the purpose of confining a few, but must certainly irritate the great mass of the the people. He warned them of the probable consequence of such a conduct; he desired them to reflect on the steps that brought on the Revolution in France, and on the prodigious efforts of the people in Paris the day before the Bastile was taken, all of which arose from the violent measures of the Executive Government to silence popular clamour. He said, he was anxious to deliver his sentiments freely and plainly, because it might possibly be the last opportunity he should have of doing so in that House—he therefore must declare, that men who would persist in such measures, deserved to have their heads brought to the

block—and, if there was a People still in England, the event might turn out to be so. As to himself, it was not matter of much consequence to him how they acted after this bill should pass, for what were all considerations of property or possessions to a man wishing to be free, after he knew he was liable to be imprisoned for his opinion, and that at the discretion of another, who was neither bound to bring him to a trial nor assign a reason for his confinement—Adjourned.

*Monday, May 19.*

Received from the Commons, the Bill to empower his Majesty to secure and detain such persons as he shall suspect, &c. and also the Report of the Committee of the House of Commons on the Papers of the Society for Constitutional Information, and the London Corresponding Society, &c.

LORD GRENVILLE said, he had two Motions to make on a future day; the one was for a vote of thanks of that House to Sir Charles Grey and Sir John Jervis, and all the Officers and Troops under their command, for their services in the West Indies.—The other was a committee of nine of their Lordships, to examine into the report of the Committee of Secrecy of the House of Commons.

The Earl of LAUDERDALE approved highly of the intended Motion for the vote of thanks; but intimated that he should never countenance any measure that tended to pass the Bill brought from the Commons, to suspend the Habeas Corpus Act, that being the most alarming measure, under the present circumstances, that ever was taken by the Government of this country.

The Duke of GRAFTON also concurred in the intention of thanking the brave Officers and Men for their conduct; but observed, that in point of respect to his Majesty, and agreeably to the practice of the House, their Lordships were called upon to vote an address of thanks to his Majesty for his Message, and the consideration of which stood in the Order of the Day before their Lordships.

Earl STANHOPE objected to any measure that tended to overthrow the Constitution of this country, by suspending the Habeas Corpus Act, because it was the strongest pillar of that Constitution.

The Marquis of LANSDOWNE approved of the motion of thanks mentioned by the Noble Secretary of State. He was glad Mi-

nisters had thought fit to delay the proceeding on the dreadful and alarming measure of suspending the best Act that ever passed to secure the rights of the People of this Country—the Habeas Corpus Act. He hoped they would make good use of the interval; he was glad to see in them some signs of repentance for the alarm they had already created.

LORD GRENVILLE took up the suggestion of his Grace the Duke of Grafton, and moved,

“That an humble Address be presented to his Majesty, to return to his Majesty the thanks of this House for his gracious communication.”

A short conversation ensued, which was supported by Earl Stanhope, Lord Grenville, and the Earl of Lauderdale, and the Motion was carried.

It was then understood that the Committee of Nine should be appointed to-morrow, before 12 o'clock.—Adjourned.

*Tuesday, May 20.*

The Lords proceeded to ballot for a Secret Committee of nine, and the following noble peers were chosen:

The Lord Chancellor.	Duke of Portland.	Earl of Carnarvon.
Lord Privy Seal.	Earl Hardwicke.	Earl of Chatham.
Duke of Leeds.	Earl of Carlisle.	Earl of Mansfield.

Adjourned

*Wednesday, May 21.*

The Secret Committee presented the first part of their Report on the Papers communicated by the Commons.

The Earl of LAUDERDALE and Earl STANHOPE stated various objections to the Report, which was defended by Members of the Committee.

Ordered, That the Report be taken into consideration on Thursday, and that the Lords be summoned.—Adjourned.

*Thursday, May 22.*

LORD GRENVILLE moved the Order of the Day.

The report of the Secret Committee, printed and sent up to their Lordships, by order of the House was then read.

LORD GRENVILLE then moved, That the report of the Committee of nine of their Lordships be then read, which was done. It stated that the Committee of their Lordships had met, had compared the report of the Committee of the House of Commons with the papers which were sent with it, and had come to

a resolution, that they were satisfied, from looking at these papers, that a treasonable conspiracy had been formed and acted upon in pursuance thereof, in different parts of this kingdom, for the subversion of the established laws and constitution of the kingdom, and for the introduction of that anarchy and confusion which so fatally prevailed in France. That measures have been taken for providing arms, of the most pernicious sort, for various persons, for carrying on the purposes for which they have conspired. The committee had directed a further examination into these circumstances, and they submitted whether it would be proper, that they should peruse these books and papers further immediately, by a Committee of Secrecy, or leave it now to the zeal of their Lordships to come to an immediate measure, thereby averting the calamities in which the further progress of such a conspiracy may involve the nation.

The Earl of LAUDERDALE said, he had some doubts as to the order of their Lordships proceedings, how far this report was correct and regular, and such as they could properly receive: for the report stated nothing more than the opinion of the committee, on certain points; they stated no facts on which they grounded their opinions, nor did any thing appear on the face of the report of their Lordship's Committee, that could furnish their Lordships with any information. The papers brought up by the Commons were to be returned, and their Lordships could have recourse to them. He must maintain that their Lordships' committee had no power to report their opinion to the House; they should have related facts, and the House should afterwards form its own opinion.

The Bishop of ROCHESTER hinted that this was not speaking to order.

The Earl of LAUDERDALE observed, that he was not to be disappointed by the muttering of any man in that House: he believed that he was speaking strictly in order, because he was stating that the report which their Lordships had just heard read, was an irregular report; and he believed it would require at least all the eloquence of the learned prelate, to prove that he was out of order, or that the report was regular, and such as the committee was charged to make. He would say again, that the committee should have reported facts to the House, and not merely their opinion on facts; for in the order by which the



committee was constituted, it was not expressed; as in some cases, "That they shall report the same, together with their opinion thereon, to the House."

The Bishop of ROCHESTER spoke to order, he said that the report of the Committee was regular; for that since it was first made, several resolutions of that House had been made upon it, and therefore it was out of order to object to the report now, his Lordship desired that the proceedings might be read, which being done,

The Earl of LAUDERDALE then said, that from all that had passed, he was quite convinced he was perfectly in order, this was the very stage for him to make his objection; having made it, he left it to their Lordships to judge of it, and for them to see whether they would be guilty of such a disrespect to themselves, as to proceed in a manner, for which there was no precedent on their journals. The noble Secretary of State would have been regular, if he had moved that this report be reconsidered. He must again say, let who would attempt to refute him, that this report was not such as the committee were empowered by the House to make; it should have related facts, but it contained nothing but matter of opinion.

Lord GRENVILLE said, that when he first rose, but was prevented from proceeding by the noble Earl, it was in consequence of the paper which their Lordships had heard read; and for the purpose of inducing their Lordships to proceed with expedition, to enable his Majesty to detain such persons as were found conspiring against his crown and dignity, and the peace and constitution of the country. He intended to found a motion to this effect, on the information contained in the report of the House of Commons, and which report had been confirmed by the report of the Secret Committee of their Lordships to which such papers had been submitted. From this report, it was manifest, his Lordship remarked, that a plan and conspiracy actually existed for the purpose of subverting the laws, annihilating the constitution of this kingdom. It was moreover ascertained to the satisfaction of their Lordships, that arms had been furnished, to carry into effect the wicked machinations of the societies to which the report adverted. In such a situation, the two branches of the legislature had shewn precedents, where the hands of the executive government were strengthened, for the purpose of

defeating those who conspired against the laws and the constitution. Was he to close his speech here, he was convinced, after their Lordships had heard the report, that it were unnecessary for him to say more to induce them to agree to the motion which he would have the honour of submitting to their consideration. What he had to propose was nothing more, than following the example of what their Lordships' ancestors had done, in the best periods, on a message from the throne, without even adopting such measures as had been done in the present instance by his Majesty's ministers.

The crown, on former occasions, was deemed sufficient, when the executive power declared the fact to exist. The necessity of strengthening the hands of that power, he argued was obvious, as it was manifest that a plot did exist, and that there does exist a systematic conspiracy to subvert the constitution, and introduce in its room, anarchy, rebellion, misery, and that system of violence and wickedness which at present disgrace France. A system which if not discouraged by the people, and suppressed by a resolution of their Lordships, may lead to events the most calamitous. This conspiracy, his Lordship affirmed, had increased, and with a degree of activity proportioned to the number of objects which employed the attention of his Majesty's government, now that the country was involved in a war. In the report of the Commons, it appeared that the first moment of the French Revolution began, from that moment these societies manifested their wicked intentions. In 1792, these societies disseminated their doctrines and their principles with a degree of industry, heretofore unknown. They had entered into resolutions to circulate their principles throughout the country by cheap pamphlets, and in their resolutions they applauded the first and second parts of the Rights of Man. In the course of last year a check was given to their licentious proceedings by a proclamation from his Majesty, for at that time it was notorious that they not only expressed their approbation of the principles and acts of the National Convention of France, but held a correspondence with the Jacobins of that country. In November of that year, they addressed the National Convention, at that time that nation was streaming with blood, and disgraced by carnage. Even then they wished success to their measures, and applauded their conduct in their resolutions. Here he entreated

the attention of their Lordships; for to their Address they received an answer directed to the English Republicans, where in the National Convention hoped that the moment was not far distant, when they would address their friends as the British Convention. By this their Lordships would perceive that there was a general concurrence given to the measures of the Anarchists of France, at a time when they were embruing their hands in their Sovereign's blood. It was evident that these Societies assimilated their proceedings, their phrases, and their very epithets to those used by the usurpers in France, and at a period when they had shewn decided hostilities to our Constitution, and outraged every feeling of humanity. This correspondence he had no doubt actuated the French to provoke this country to war, and encouraged that aggression on their part, which was productive of consequent hostilities to both countries.—Whoever had read the speeches made by Barrere and St. Andre, which he had the curiosity to examine with a degree of surprise and astonishment on the death of the King, must have seen that they contained this proposition. That it was false that the people of England was adverse to the murder of the King of France, for none but the Ministers of this country were inimical to that sanguinary measure. In adverting to the phraseology of the French, he said it was introduced as a novelty to strike the people as it went to the destruction of all rank in society, and melted down all distinction, in the Jacobinical term of citizen. This phraseology was adapted to such vile purposes, and was adopted, as appeared evident from the report before their Lordships, in the proceedings of all those Societies. In that report it would also appear, that they expressed their decided approbation of the principles of the Government of France, if that chaos and misrule could be denominated Government, which went to subvert all order, destroy all Government, and annihilate all rank and subordination in society.

It was well known that the utmost industry had been used by those Assemblies in this country, to disseminate all those publications that were not partial to the established laws, though in general he was happy to say, that they were resisted by the loyalty and good sense of the great mass of the People. In Oct. 1792, his Lordship remarked, that those Societies sowed the first seeds of Treason and Sedition, and when they had ripened, and borne fruit, they determined on assembling what they call a Bri-

tish Convention.—He next noticed the consequence arising from that Convention, where the members received the just retribution due to their crimes. But here he would wish to pass over a subject, where he may be induced to aggravate the guilt of men undergoing the punishment of their crimes, to animadvert on the indecent conduct of those persons who vilify their judges, and arraign the criminal jurisprudence of that Court, before which they were convicted. His Lordship next noticed the Resolutions entered into by the London Corresponding Society on the 17th of January 1794. These Resolutions he insisted, maintained that the Law was oppressive, and ought to be resisted, and circulated doctrines, to make the people of England withdraw their obedience to the laws, and oppose resistance to Parliament, whom they called their Tyrants. On the following Resolution, entered into at the Globe Tavern, his Lordship laid particular stress.

*The Copy of the said Printed Paper.*

“ At a General Meeting of the London Corresponding Society, held at the Globe Tavern, Strand, on Monday the 20th day of January, 1794; Citizen John Martin in the Chair. The following Address to the People of Great Britain and Ireland was read and agreed to.

“ CITIZENS,

“ We find the Nation involved in a War, by which, in the course of ONE Campaign, immense numbers of our Countrymen have been slaughtered; a vast expence has been incurred, our Trade, Commerce and Manufactories are almost destroyed, and many of our Manufacturers and Artists are ruined, and their families starving.

“ To add to our affliction, we have reason to expect, that other taxes will soon be added to the intolerable load of imposts and impositions with which we are already overwhelmed; for the purpose of defraying the expences which have been incurred in a fruitless Crusade, to re-establish the odious Despotism of France.

“ When we contemplate the principles of this War, we confess ourselves to be unable to approve of it as a measure, either of justice or discretion; and if we are to form our calculation of the result, from what has already passed, we can only look forward to defeat, and the eternal disgrace of the British name.



" While we are thus engaged in an expensive and ruinous foreign War; our state at home is not less deplorable.

" We are every day told, by those persons who are interested in supporting the Corruption List, and an innumerable host of Sinecure Placemen, that the Constitution of England is the perfection of human wisdom; that our laws (we should rather say, Their laws) are the perfection of justice; and that their Administration of those laws is so impartial and so ready, as to afford an equal remedy, both to the rich and to the poor; by means of which, we are said to be placed in a state of absolute Freedom, and that our Rights and Liberties are so well secured to us as to render all invasion of them impossible.

" When we ask, how we enjoy these transcendent privileges; we are referred to Magna Charta and the Bill of Rights; and the glorious Revolution in 1688, is held out to us as the bulwark of British Liberty.

" Citizens :

" We have referred to Magna Charta, to the Bill of Rights, and to the Revolution, and we certainly do find, that our ancestors did establish wise and wholesome laws—but we as certainly find, that, of the venerable Constitution of our ancestors, hardly a vestige remains.

" The only Chapters of the Great Charter, which are now in legal existence, are the 14th and 29th.

" The important provision of the 14th Chapter, runs thus :

" A Freeman shall not be amerced for a small fault, but after the manner of the fault; and for a great fault after the greatness thereof, saving to him his contenment : And a merchant likewise, saving to him his merchandize : And any other's villain than ours shall be likewise amerced, saving to him his wainage; and none of the said amerciements shall be assessed, but by the oath of honest and lawful men of the vicinage.

" But, by the usurped power of the Judges, in assessing fines (and what fines !!) in cases of misdemeanour ! this glorious right of the subject, of having these fines assessed by the Jury, (the only possible protection from Slavery and the vilest Oppression) is unjustly and infamously ravished from us.

" The provision of the 29th chapter runs thus :

" No Freeman shall be taken or imprisoned, or be disseised of his Freehold, or Liberties, or Free Customs, or be Outlawed, or

Exiled, or any otherwise destroyed, nor we will not pass upon him, nor condemn him, but by the lawful judgment of his Peers, or by the law of the land. We will sell to no man, we will not deny, or defer to any man, either Justice or Right."

\* The various methods now in constant practice by which the benefits of this provision are totally defeated and destroyed, might induce us to suppose that the great charter has been repealed; if we did not assuredly know, that it is the fundamental basis of our Constitution; when even the real Representatives of the people (much less the miserable nominees of Hellstone and Old Sarum) have not the Right, nor (as we trust it will be found by experience) the power to repeal. Yet what do we find in practice? Unconstitutional and illegal *Informations ex Officio*, that is, the arbitrary will of the King's Attorney General, usurping the office of the Accusing Jury; and the interested oath of a vile common Informer, with the judgment of as vile a common trading or pensioned Justice, substituted in the room of our birth-right, an Impartial Trial by our Country.

"Add to this, that the exorbitant expence of judicial proceedings, the novel practice of arbitrarily and repeatedly annulling the verdicts of Juries, and the dilatory practice of the Courts, most openly and shamefully contradict the clause which forbids the denial, the delay, and the tale of justice.

"A man accused of Felony (for which by the common law of England, his life and goods are forfeited) may be bailed on finding two sureties for forty pounds each, but upon a charge of Misdemeanour by words only, bail to the amount of one thousand pounds has been demanded.

"Upon conviction also, for such misdemeanour, enormous fines, long and cruel imprisonment unknown to our ancient laws, and unfashioned by any new statutes, have of late (and but of late) been too frequently and too oppressively inflicted. And all this, although by this Bill of Rights it declared, that excessive bail shall not be demanded, nor cruel nor unusual punishments inflicted.

"If we look to IRELAND, we find that acknowledged privilege of the people, to meet for the support and protection of their Rights and Liberties, is attempted, by terror, to be taken away by a late infamous Act of Parliament: whilst titles of honour?—No, but of dishonour—are lavished; and new sources of

corruption opened, to gratify the greedy prostitution of those, who are the instruments of this oppression.

" In Scotland, the wicked Hand of Power has been impudently exerted, without even the wretched formality of an Act of Parliament, Magistrates have forcibly intruded into the peaceful and lawful meetings of Freemen ; and by force, (not only without law, but against law) have, under colour of magisterial office, interrupted their deliberations, and prevented their association.

" The wisdom and good conduct of the British Convention at Edinburgh, has been such, as to defy their bitterest enemies to name the law which they have broken ; notwithstanding which, their papers have been seized, and made use of as evidence against them, and many virtuous and meritorious individuals, have been, as cruelly as unjustly for their virtuous actions, disgraced and destroyed by infamous and illegal sentences of transportation. And these unjust and wicked judgments have been executed with rancour and malignity, never before known in this land ; our respectable and beloved Fellow-citizens have been cast fettered into Dungeons amongst felons in the hulks, to which they were not sentenced.

" Citizens,

" We all approve the sentiments, and are daily repeating the words, for which these our respectable and valuable brethren are thus unjustly and inhumanly suffering. We too, associate in order to obtain a fair, free, and full representation of the people in a house of real national representatives. Are we also willing to be treated as Felons, for claiming this our inherent right, which we are determined never to forego but with our lives, and which none but thieves and traitors can wish to withhold from us ? Consider, it is one and the same corrupt and corrupting influence which at this time domineers in Ireland, Scotland, and England. Can you believe that those who send virtuous Irishmen and Scotchmen fettered with felons to Botany Bay, do not meditate and will not attempt to seize the first moment to send us after them ? Or if we had not just cause to apprehend the same inhuman treatment ; if, instead of the most imminent danger, we were in perfect safety from it ; should we not disdain to enjoy any liberty or privilege whatever, in which our honest Irish and Scotch brethren did not equally and as fully participate with us ? Their cause then and

ours is the same.—And it is both our duty and our interest to stand or fall together. The Irish Parliament and the Scotch Judges, actuated by the same English influence, have brought us directly to the point. There is no farther step beyond that which they have taken. We are at issue. We must now chuse at once either liberty or slavery for ourselves and our posterity. Will you wait till BARRACKS are erected in every village, and till subsidized Hessians and Hanoverians are upon us?

“ You may ask, perhaps, by what means shall we seek redress?

“ We answer, that men in a state of civilized society are bound to seek redress of their grievances from the Laws, as long as any redress can be obtained by the Laws. But our common master whom we serve (whose law is a law of liberty, and whose service is perfect freedom) has taught us not to expect to gather grapes from thorns, nor figs from thistles. We must have redress from our own laws, and not from the laws of our plunderers, enemies and oppressors.”

Their resolutions his Lordship argued were directed to poison the minds of the People of England, whose securities and liberties they insisted were done away, and that there were neither security in the laws, nor liberties in the Constitution. Their animadversions on the Parliament of Ireland were equally bold and indecent, as they asserted that the liberties of that country had been destroyed by an infamous Act of Parliament.—In all the proceedings of these Societies, they attempted to hold forth the old thread bare cloak of a Parliamentary Reform; but this was a flimsy and miserable pretext, for their real intentions, he said, were disguised to no man. He would ask their Lordships, how did it appear that they meant to obtain this object! Not by a legal and moderate appeal to Parliament by Petition: not by any mode prescribed by the Constitution;—but by illegally assembling and declaring, in a room in a Tavern, that if a Reform were denied to them by Parliament, that they would have it, or risque their lives.—They not only thus manifest their treasonable intentions, but pronounce Parliament an Assembly of Traitors and Thieves.—They despise the three branches of the Legislature, and announce their desire of appealing to the People. Thus it appeared incontrovertibly their intention of subverting the Constitution by actual force, for their object was not to reform, not to alter, not to modify, but finally to annihilate and destroy King,



Lords and Commons, and establish in their room, a system founded on French principles. It could not be denied, from the resolutions entered into at the Globe, his Lordship insisted, but that the true object of this Society was, to obtain a Revolutionary Government, for the purpose of destroying all order, and despoiling every man's property.

After talking much of pretended grievances, they next ask how they are to be redressed?—They put the question and answer themselves. They say, they will seek it by law, as long as it can be obtained by law, but no obligation can exist, they assert, to bind them to laws made by their plunderers and oppressors. Thus they erect themselves into a body to watch over the proceedings of Parliament, and say, if they do not approve of their proceedings, that they will erect themselves into a National Convention of the People. This sentiment accords with the leading principle by which in all their systematic proceedings they are actuated. It is the doctrine that teems in the mouth of every Orator who speaks on the corruptions of Parliament, or the innovations suffered in the Constitution. It was their manifest intention to procure tumultuous meetings, and thereby supersede all authority, by imitating the uniform practice of the French Government, for the assembling of a Convention must suspend every existing authority. The only semblance of apology offered for all their proceedings, was one resolution that followed all these licentious and seditious Resolves, namely, that they were determined to procure Redress in a legal and constitutional manner. But this was a flimsy excuse for their proceedings; and he asked would it be an apology for a criminal, if previous to any improper or unjust act, he was to assert that he would act agreeable to the Laws and Constitution of his country?

Such a defence would be a mockery, and only serve to excite sentiments of indignation in the breasts of a Judge or a Jury. Such an excuse was absurd, when the very acts of those Societies evidently shewed that they meditated an intention of carrying into effect, tumult, anarchy, and rebellion.

His Lordship next adverted to a Circular Letter sent to the different Societies, from those formed in the Metropolis, requesting an immediate answer, with the names of those whom they may please to delegate to meet in a National Convention, with a return also of their numbers, if it could be ascertained. After

reprobating this proceeding in very strong terms, he next called their attention to the resolutions entered into at Chalk Farm, where some thousands had met for the purpose of deliberating in open air—

*“ Resolved unanimously,*

*“ That this Society have beheld with rising indignation, proportioned to the enormity of the evil, the late rapid advances of Despotism in Britain—the invasion of public security—the contempt of popular opinion—and the violation of all those provisions of the Constitution, intended to protect the People against the encroachments of Power and Prerogative.*

*“ That our abhorrence and detestation have been particularly called forth by the late arbitrary and flagitious proceedings of the Court of Justiciary in Scotland, where all the doctrines and practices of the Star Chamber, in the times of Charles I. have been revived and aggravated—and where sentences have been pronounced in open violation of all Law and Justice, which must strike deep into the heart of every man, the melancholy conviction, that BRITONS ARE NO LONGER FREE.*

*“ That the whole proceedings of the late British Convention of the People at Edinburgh, are such as claim our approbation and applause.*

*“ That the conduct of Citizens Margat and Gerrald in particular, by its strict conformity with our wishes and instructions—and the ability, firmness, and disinterested patriotism which it so eminently displayed; has inspired an enthusiasm of zeal and attachment, which no time can obliterate and no prosecution remove—and that we will preserve their names engraven on our hearts till we have an opportunity to redress their wrongs.*

*“ That the arming and disciplining in this country, either with or without the consent of Parliament, any Bands of Emigrants and Foreigners, driven from their own country for their known attachment to an INFAMOUS DESPOTISM, is an outrageous attempt to OVERAWE and INTIMIDATE the free spirit of Britons—to subjugate them to an army of mercenary Cut-throats, whose views and interest must, of necessity, be in direct opposition to those of the Nation, and that no pretence whatever ought to induce the People to submit to so unconstitutional a measure.*

He would not, he said, disgust their Lordships by reading the entire of the Resolutions entered into at Chalk Farm, as

they had heard them read by the Clerk at the Table—but he had selected those few to shew the violence and intention of this Society. From these it was manifest, that they, in the most undisguised manner, had exhorted the people to arm, and that the occasion of their assembling, and the cause for which they met was not to be decided by Parliament, but by that illegal meeting.—This, he contended, was calling on the People to rise in arms against Parliament—it was endeavouring to alienate them from their allegiance—it was an avowal of treasonable purposes, as exhorting the People to resist the Laws. He was convinced, from this view alone of their proceedings, that there existed a treasonable conspiracy, for the express purpose of superceding Parliament,—annihilating the Legislature, and introducing guilt, anarchy, and confusion into the kingdom.

This was the conclusion drawn by their Lordships' respectable Committee—it was the conclusion which he drew from the circumstances—and, if it was conclusive to their Lordships, they would proceed with dispatch in adopting such measures as would put a stop to the spreading evil. In some of the Societies, he remarked, that proposals had been made for providing Arms for the Members, and if any thing was wanted to carry conviction to the minds of the most incredulous persons, or their evil and treasonable intentions, the circumstance of their arming their friends must be sufficient. When this fact was established, that they armed to effectuate by force, if possible, what they could not otherwise accomplish: for his Lordship could not have a doubt of the issue of such a trial, it was a necessary caution to arm the Executive Government, against what might be otherwise productive of a Civil War. If it should be advanced, that the measure which he had to propose to their Lordships, was strong or harsh, the necessity of the case required that it should be carried into execution.—If it were argued, that there was incongruity in adopting a measure that would attach to the whole, because a part was criminal, he would argue, without meaning any personal compliment to those with whom he acted, that their Lordships may repose with safety in the clemency, and the exercise of any power vested in the Executive Government.

If it were said, that the tools and instruments of those who formed those alarming Meetings, were miserable obscure individuals from whom no apprehension could be dreaded, he would

answer, that where Conspiracy was proved, danger existed. If it was said that Conspiracy was not to be dreaded in which men of rank were not among the Conspirators—to this he could answer, that if their Lordships looked into the Page of History, they would find the character of all Conspirators was, that they were bankrupts in character: and men, who involved in ruin and anarchy—their country. With respect to the Revolution of France, the Majority was adverse to the measure: and an able writer, and a man of veracity, asserted, that not more than *two hundred* men in France wished for a Revolution in that unfortunate country. How ever despicable in character, or contemptible in talents, Conspiracies may nevertheless be productive of fatal errors to the Constitution. Previous to the great Rebellion, in which Cromwell made so conspicuous a figure, he was considered as a despicable character, and a man of no note. But in the progress of that Rebellion, he proved himself capable of vast designs, and therefore his Lordship trusted that the security of the country should rest on something more than the obscurity of individuals. He concluded, with moving “That the Bill for enabling his Majesty, to arrest and detain such persons as shall be found to conspire against his Majesty’s Government, be now read a first time.”

Earl STANHOPE said, that differing from the Secretary of State in all his conclusions, he must oppose this measure; he considered this Bill, as neither more nor less than a system for erecting a Bastile in this country, and for establishing Lettres de Cachet, by which any man in the kingdom might be imprisoned for any length of time, at the will of ministers, without proof, without reason, and even without trial, and after all without redress of any kind, for such imprisonment; he should have expected that when such a proposition, was only mentioned in a British House of Parliament, it would have excited general abhorrence. He said there was no situation in which such a measure as this ought to have been attempted, much less in which it could be justified to this extent. He assured their Lordships he should endeavour to argue that question fairly and dispassionately. He was sure he had attended to the Secretary of State as well as he was able, and he hoped their Lordships would attend to him, for he required only a few minutes of attention, without prejudice or prepossession, and he thought he should do away all the grounds



laid down in support of this measure; their Lordships would permit him therefore to state what the charge was against the members of these societies, and what had been done by them to ground that charge. A convention—a meeting—assembly, or give it what name you please, for the name was nothing, and the object every thing. A convention had been agreed upon by these societies. Now, upon this, two considerations presented themselves to our view, the object of the parties, and the means by which that object was to be attained. If these were legal, no honest man would be disposed to cavil about the name. He should take the charge first, and then he should take the answer to it. First then the charge. It was stated that the members of these societies was not to apply to Parliament for a reform; but that they intended to supercede the House of Commons, and to take upon themselves the power and function of legislation. He could not help saying there appeared to him to be great want of logic in that conclusion; for it was certainly very possible, he did not say it was adviseable, for a body of men to form a resolution for obtaining a parliamentary reform, and that legally, without any application to Parliament. He should again say he did not think it adviseable, because the parties were not likely to attain their object; but they certainly do so legally. He spoke the more freely upon this point, as he never had belonged to any of these societies, and he did not approve of the meeting of a convention, such as these societies proposed; because, however legal their conduct might be, it was not likely to be effectual: it had been tried already, and had failed, and was likely to fail again. It had been tried in the year 1780 and 1781, and the object was not obtained. But the probability or the improbability of success had nothing to do with the legality of the plan. To shew the success of a plan for bringing about a parliamentary reform, without applying to Parliament, he would put a case which might easily happen. Suppose, for instance, that all those who now possess the right of election should determine not to vote at a future election for any person who did not undertake to agree to a given plan for a parliamentary reform; and suppose all those who were so elected should be faithful to their engagement—here would be at once a plan for a parliamentary reform carried into effect, without any application to Parliament, and yet it would be legal. But it was said that,

these papers had extravagant ideas of reform—"Annual Parliaments and Universal Suffrage;"—this was not peculiar to these persons; he could shew to their Lordships that there was a person of the name of Richmond, who had held the same ideas to be correct. If therefore the House would allow this Richmond to entertain these ideas, they must at least tolerate the members of these societies. We were told that these societies had expressed their disapprobation of the Parliament of Ireland, he should shew them that the same sort of intemperate expressions had been made use of on the Parliament of England. He then proceeded to state an account of a meeting, in the County of Kent, in the year 1780, with many great and respectable names in it, some members of that House, among the rest the Right Hon. Thomas Townshend.

Lord SYDNEY denied the fact.

Earl STANHOPE proceeded; he said he never asserted that his Lordship was a member of a convention; he spoke only of a Kentish Committee, which he could prove that Noble Lord attended. At this meeting were present a brother of the Noble Secretary of State, Colonel Fitzpatrick, Mr. Fox, and many other high and distinguished characters. They afterwards met in London and in Westminster, and they stated several points for a reform in parliament, and the meeting resolved in a very spirited manner, and did not speak of Parliament in very soft expressions. He did not say that all those individuals agreed to these resolutions, but the Society agreed to them; and no question was ever started upon the legality of the meeting, or of its measures. He then took notice of the quintuple alliance; and they had agreed to call a convention, precisely as these societies had done. Another meeting had been held in Scotland, and by the express advice of the Lord Advocate, a convention had been agreed upon; this he only mentioned to prove that there was nothing illegal in the word convention. Their Lordships knew what the conduct of Mr. Pitt had been upon the subject of parliamentary reform. He then proceeded to the declaration of Sir George Savile, a character whom every one who knew esteemed; this great and good man had in his letter to his constituents, published much severer words on the Parliament, than these societies had done by any of their resolutions, and instead of being blamed he was revered for it. [Here his Lordship read Sir George Sa-

vile's letter.] He then took notice of the Duke of Richmond's letter to Colonel Sharman, in which his Grace expresses he has no hopes of any reform from the Parliament, but that the people must effect every thing for themselves. If their Lordships, therefore, were to send to prison any of the members of these societies for disrespectful expressions to Parliament, they must send with them, for the same offence, Citizen Richmond. As an instance of the freedom taken with the character of Parliament, he quoted the letter of the Right Hon. Edmund Burke to Sir Hercules Langrishe on the subject of the corruption of Parliament. He ridiculed the idea of a conspiracy where every transaction had been printed in the public newspapers, and maintained that if what was now stated in the report was illegal, Government ought to have prosecuted them long ago. One part of the charge against these societies, was that they had circulated a cheap edition of the Rights of Man. Now, upon this point, their Lordships ought to know what the Secretary of State did not tell, he believed he did not know it himself, but it was extremely material. The Attorney General of that day, Sir Archibald M'Donald, had indicted Mr. Paine, the Author of the Rights of Man, and that book had been declared by a jury a libel on the constitution of this country. In all the cheap editions of this book, circulated by order of these societies, the parts selected by the Attorney General, were omitted, therefore the inference was, that the book in that state was a legal publication; for their Lordships would not presume that the Attorney General had so neglected his duty as to pass a public libel by, without inserting it in the indictment. He then took notice of the charge of these societies having admitted Barrere and Roland as honorary members of this society; there was nothing on the face of it illegal, for the speeches of these persons were not stated in the report, and their Lordships had no evidence of their unconstitutional tendency; besides, the Secretary of State mistook the situation of Roland; he was not a member of the Convention—it was impossible he should, for he was a minister, and placemen did not sit in Parliament in France. He must maintain, that if any complaint was to be exhibited against the members of these societies, for adopting of any part, or applauding these speeches, we should have evidence of the speeches themselves. The Secretary of State had hinted at some parts of these speeches; but not a word

was said of their contents in the report. Besides, he maintained that the report itself was extremely unfair, and made up entirely against all the rules of evidence; parts of their correspondence, and those the most unfavourable, were selected, and the favourable ones omitted; whereas in point of justice and by the rules of law, the whole of the books of the society should be quoted in the report, and set forth at full length, that the House might not be called upon to judge from mutilated and detached passages, but fairly and equitably from the whole context, and, for aught their Lordships could know to the contrary, the whole taken together might not only be an innocent, but also a meritorious work. In one part of their resolutions they stated, "That the friends of *Reform* are the friends of *Peace*; their principles can be promoted only by peaceable means: they know of no other method of obtaining the object they desire." On the subject of arms, his Lordship quoted the authority of Blackstone, in the first chapter of his first book of his Commentaries, wherein he states that the subjects of a free state have a right to keep arms for self-defence; and also the opinion of Lord Hawkesbury, on the propriety of arming the people, who had said that there never was an instance of an armed people using their power to their own destruction; in which opinion he coincided completely, for he wished that instead of thirty thousand, we had four hundred thousand militia; were that the case there would be nothing to fear from internal commotions. But he must confess the whole of this measure appeared to be improper, and the fear pretended to be felt on it was to be compared to nothing so apt as the windmill of Don Quixotte. But supposing there was any foundation for fearing a few, how unjust was it that the freedom of all the people of England should be at the will of the minister, on account of the misbehaviour of a few. He concluded with desiring their Lordships for a moment to reflect on the possible effect of all this. Suppose a stream of water that had often fertilized a beautiful plain, but had passed its boundaries, and for a time had done some trifling injury to the soil—a miserable husbandman would he be who endeavoured to choak up the current. So it was here, the flowing of human reason, Government had not the power of checking, but like the prudent husbandman, they might with care direct its channel. "Then do justice," said he, "and give to the people peace, and then, my



Lords, you may be able to guide their reasoning, and keep it safely within its due limits."

Earl SPENCER said, he thought himself called upon by an allusion which the noble Earl had made, to a meeting held in Kent, in the year 1780, at which he was present. He agreed that he had been there, and approved of the general purpose of the meeting; but if the noble Earl had examined any proper account of what passed, he would find that he did not go to the full extent, that other persons present had wished to do, and gave his reasons at the time. At any rate, the sentiments and the proceedings of that meeting were very different indeed from what seemed to actuate those societies to which the present Bill applied. He justified the measure as expedient, politic, and founded upon absolute necessity, arising from the emergency of the case, and gave his hearty support to the motion before the House.

Lord HAY (Earl of Kinnoul) spoke at considerable length on the same side, and strongly vindicated the measure as becoming the wisdom of Administration, and the most adequate to the case.

Lord BORINGDON said he approved of the measure, because though a strong one, he was convinced that the necessity of the case called for a strong measure. Two years ago he had seen what, in his mind, were the seeds of all the mischief that had since happened, and it was full time that a proper check should be put to the progress of such destructive proceedings. He was no alarmist; by that he meant, that he felt no idle, weak, or unmanly alarms, and was as much for the rights, the fair, pure, equitable rights of man, as any body; at the same time, being no friend to the modern system of France, or innovating metaphysical principles, it became his duty to be alarmed when he thought any attack was attempted to be made upon the Constitution of the country. He concluded his observation by giving his approbation and assent to the Bill.

Lord THURLOW said, that before going at all into the question, it was proper to notice the manner in which the Bill had come into that House. He considered it first as founded upon the King's message; and next on the proceedings which had since taken place upon it in that and the other House of Parliament, and then became the duty of both Houses to proceed in the busi-

nels as they might see cause. In his opinion the Lords had acted in the wisest way, by taking it up in the manner they had done; but he could not help saying, that much of the debate that night had gone very wide of the mark. The only communication now before them, was the report of their Committee, and the Bill which was founded upon that report. The general principle upon which he conceived the Bill to be founded, was necessity; and when once that necessity was established, there was nothing so strong in the measure as ought to create any objection to it. If it was clear that the proceedings, which made the Bill necessary, tended to produce that anarchy in this country which had prevailed in France, and certainly it must be allowed, that anarchy is the worst of tyranny, then it was necessary to adopt this measure, which, though it for a time seemed to infringe upon the principles of the constitution, only took away just as much as secured the rest, which certainly was a wise and commendable policy. He reprobated the practice of introducing names of persons, or even allusions to those who were under trial; it was unfair, unjust, and unknown in the practice of the English legislature; they ought not to be prejudged or pronounced guilty before hand. From what he had seen of the Report, there were many things that, in his opinion, were seditious, but he did not think that they amounted to treason. There were other parts, which if they could be supported by evidence, certainly might amount to treason; particularly those parts where it was said to be intended to prosecute their system by force, and against the known laws of the country. This required punishment, and had they been punished at the time, it would have prevented their successors from having offended. But though they, to whom he alluded, had escaped, that was no excuse for those who now wish to carry their schemes further. He repeated, that from what he had seen of the Report, he thought there was ground for punishment, as far as punishment for misdemeanour goes; but he begged leave to decline giving any decided opinion upon the particular instances of those who were now very nearly under trial. He said a very great mistake seemed to exist respecting the extent of the Bill, which in fact gave no additional power to the Executive Government, as to confining and detaining suspected persons, which they had not before, except this, namely that that they could be so secured and detained for a certain time,

Without being brought to trial : why it had vulgarly been called a suspension of the Habeas Corpus Act, he could not tell ; and yet it had been so called almost every time that a Bill of this sort was brought forward, for if this Bill was passed to-morrow, the Habeas Corpus Act still would remain in full force, and magistrates acting under this Act, must consider that to be the case, and act with proportionate caution.—He recurred to the different periods in history, when this Act had been most the subject of Parliamentary discussion. In the reign of James I. and Charles I.—In Charles the Second's time, it had been in disuse, and was renewed in the year 1704. A Bill of this sort had been at different times brought forward, in cases where an actual insurrection rose, or where conspiracies were strongly suspected, although they were of so hidden a nature that they could not be traced at the time ; and in the last case it became prudent and necessary to secure and detain persons suspected, till such conspiracy could be traced. As to the crimes charged in the Report, certainly many persons might be committed under this act, but he thought most of them could be brought before the common courts, whether this act passed or not. It was the duty of magistrates to attend particularly to the laws in cases of imprisonment, and he alluded to that of Lord George Gordon, which he seemed to think too long, and the sentence too severe. With regard to the manner in which any additional discretionary power put into the hands of Ministers might be used, he must say, that he would not have the least hesitation in risking his liberty, his property, and his life, in the discretion of the Noble Secretary of State ! and believed he could no where be safer ! But this matter of opinion was not a fair argument when any extraordinary power was to be given to the Executive Government. In such instances, nothing more ought to be trusted in the hands of Ministers than the urgency of the case required ; to argue that way would be to distinguish the officer from the office, and might put in the power of a bad man, what a good man never would do if he had the power. In all cases where punishment was merited, the best remedy to prevent similar offences, was to punish in a spirited manner. He then mentioned a pamphlet which had that day been put into his hand, reflecting highly upon the Judges, and many Members of that House ; it was disgraceful and indecent, such as he thought never ought to pass unpunished. He con-

sidered, that vilifying and misrepresenting the conduct of judges and magistrates entrusted with the administration of justice, and the laws of the country, was a crime of a very heinous nature, most destructive in its consequences, because it tended to lower them in the opinion of those who ought to feel a proper reverence and respect for their high and important situations; and when it was stated to the ignorant and the wicked, that their judges and magistrates were ignorant and corrupt, it tended to lessen their respect for, and obedience to the laws of the country, because they were taught to think ill of those who administered them.

The Earl of LAUDERDALE said, that he had attended particularly to the Report, which had been made to their Lordships, but could not find out in that, or any circumstance connected with it, the least grounds for the very strong and alarming measure, which it was intended by this measure to introduce; an innovation and infringement upon the Constitution of the Country, unwarranted by any principle of policy, necessity or precedent, that could be mentioned, and coming only as one of those extraordinary and unheard of measures, which the present Administration had been daily introducing as part of their system for the last two years. It certainly, though the greatest, was not the only innovation which they had lately brought forward; they had begun with an Alien Bill; then a Traiterous Correspondence Bill; they had heard too of bringing Foreign Troops into the kingdom, and of raising Voluntary Subscriptions without the consent of Parliament, measures sufficiently novel in their nature to rouse the feelings of alarm and distrust in British bosoms; and now they were to be followed up by this Bill, which, whatever might be the opinion of other Noble Lords, he would contend amounted to a suspension of the Habeas Corpus Act; the whole forming a chain of Revolutionary measures tending to establish in this country a new system of Revolutionary Government.—When he thought for a moment upon the supposed dangers to which the Report alluded, or even for argument sake allowing them to be as great as the alarms of some had exaggerated them to be, and compared that with the strong and daring measure proposed as a remedy, every well-wisher to his country, must agree, that the remedy is far more alarming than the danger possibly can be.—Ten years ago, when schemes of Reform,



precisely the same as those avowed by those Societies were proposed, countenanced, and encouraged by the Duke of Richmond, and others of his Majesty's present Cabinet, no such thing as a Bill to suspend the Habeas Corpus Act had ever been thought of. The Noble Secretary of State had allowed that the conspiracies which he dreaded so much, were only formed amongst the refuse of the people, but he had taken care to state also, the great mischiefs that had frequently arisen from the most obscure individuals; and though the numbers were by all said to be very inconsiderable, yet their power was rated very high, and their proceedings were to be dreaded as most important, so much so that they were to overawe and controul the functions of Parliament, and overturn the Constitution itself. Now what was all this but mere assertion; had a single fact been produced that proved the truth, or even the probability of this being well founded? Not one. Who was there that supposed that Lovet and the 200 madmen whom he was said to have collected, and they certainly were madmen who could have formed such absurd notions of their own strength and power, to carry their wild ridiculous schemes into execution—who was there in that House, or in the country, who could say that any serious harm was to be dreaded from such men, or who believed that if he was so mad as to make the attempt to collect persons for such purposes he would have got twenty to assemble? The whole contents of the Report were what Ministers, that House, and the Country at large, had been fully acquainted with for the last two years; and if they were proceedings of the alarming nature now described, Ministers were highly culpable, nay criminal, in allowing them to pass unnoticed so long. What were the materials that proved this dark and hidden conspiracy? Seditious papers, that had appeared in every newspaper in the country, and treasonable writings, that had every where been handed about, printed, published, and circulated for the last fourteen months; nay more, so little mischievous had they been thought, that these seditious and treasonable proceedings, from which alone the conspiracies were to be proved, had been for a considerable time back, a source, of revenue to the very Government which they were intended to overturn and destroy—in short, upon this point it was clear that Ministers had long been perfectly acquainted with the whole proceedings which they now thought so dangerous, and

had been nursing the conspiracies till it suited their own purposes to bring them forward, and keep up that system of alarm and terror which it was so much their interest to do, in order to divert and draw off the attention of the country from the calamities and disgraces which their mal-administration had brought upon it; and the whole of their proceedings, he insisted, bore him out in this assertion, from the first Proclamation calling out the Militia, down to the present measure. Though the country was not altogether ready to come into their system at first, he owned they had gained considerable support from many who were not accustomed to approve of their measures antecedently to this alarm: some of those, he believed, might have been actuated by an honest terror, and conscientious alarm, but certainly there were many of a different description, and who had shewn the most interested motives in the part they had taken. Yet, with all this support, and the additional benefit of their able Councils and great abilities, what success had attended the measures of Administration, and what had all this united strength produced? After being more than a year engaged in continuing a most ruinous and destructive war, had they arrived in the least degree nearer the object in view. Here he could not help recurring to the sage and prophetic advices, and admonitions given by a Right Hon. Friend of his last year, with what profound wisdom, that deep sagacity, and bold manly reason that marks his character, when he pointed out the propriety and the necessity for putting an end to the calamities in which we were then involved, and now suffered with increased disaster, by an honourable negotiation. Had these advices been attended to, the country might now have been in a very different situation. Had all our boasted internal resources, our powerful alliances, and all that the Ministers boasted as means of bringing about a speedy peace, produced that effect? Or were they more likely to do it this year than last year? He believed nobody could say so. Ministers themselves knew that they had brought the country into a deplorable dilemma, out of which they could tell nothing of when we were likely to be extricated. Much praise and much honour was due to the gallant conduct of the brave Sir Charles Grey, and his successful army; but however highly they deserved the panegyric of their country, it was unfortunate to reflect, that those measures only served as a delusion to encourage this country to go on with a ruinous war, the ob-

jects of which had been entirely changed since its commencement; for what was Martinico to the projected conquest of France, and the forcing of a government upon that great country?—or was it to be supposed that the rulers in France, be whom they might at the time, would put in comparison such successes on our part with their own heads, and relinquish their exertions in defence of their country? Throughout the whole duration of the war there had never been very flattering prospects for this country, and certainly less so now than ever. We have found already that one of our Allies cannot go on unless he is paid by this country, and another is under the necessity of borrowing money out of it, which is nearly the same. All these circumstances are much more serious and important, and much more fit for the consideration of Ministers, for the House, and for the Country, than those idle and flimsy pretexts which they have conjured up to alarm the country, when, in reality, the only purpose is to blind the people, and bring them into their own views. The only thing that makes their measures so little surprising is, that it is a continuance of the same system, to delude, which they have uniformly practised since ever they came into power. Again, to mention the proceedings of these societies, if they are criminal, certainly the creators of them, and the principles they avow, are much more so: He had already mentioned some of them. He would then call their attention to the famous letter of the Duke of Richmond to Colonel Sharman, which was certainly as strong, and in every particular almost the same in substance, as the doctrines laid down in Paine's works on the subject of parliamentary abuses. There were others of his Majesty's Ministers, who, in conjunction with Mr. Horne Tooke, whom he heard they had committed to the Tower, had signed resolutions, and avowed their principles to be the same as contained in that letter. He then reprobated their mean and shameful apostacy; since, from all their former opinions and principles, from all which it was easy to see, that the struggle was not, as had formerly been the case, between two contending parties, but that it was between their own existence in power and the existence of the constitution itself. It certainly would become them to be more cautious, and less inattentive to the true principles of the British Constitution, than their late and present conduct shewed them to be. By the present, which was

a greater infringement than had ever been made before upon the constitution, they seemed to disrespect and despise the wisdom of their ancestors and all precedents. In every former case, where a suspension of the Habeas Corpus took place, it was founded upon some open overt act, and not upon such ridiculous and untenable grounds as the report on the table held out. Whatever respect the noble and learned lord, or any other person might have for a Secretary of State, he should be extremely sorry to see any minister vested with an extraordinary discretionary power greater than the exigency of the case required, whatever his character might be. Noble Lords might recollect what happened after 1715, in Sir W. Windham's time, when very respectable country gentlemen were brought up from Norfolk and confined. At that time, however, there was an open rebellion in the country. In 1722, the Bill was founded, not upon such papers as those in the report, but on a specific declaration contained in the King's message. In 1745 the situation of the country was similar to what it had been described in the former cases. All that time, till within the last twelve years, there had been a Pretender in life, and a Jacobite party in this country:—Members of both Houses of Parliament had been notoriously of that description. Other ministers had never thought of suspending the Habeas Corpus Act, under those circumstances, and it might have been better had it not been attempted now. From this he might conclude, that either the Habeas Corpus Act ought never to have existed till within the last twelve years, or that it ought never to exist again. His Lordship then recommended pursuing a system of moderation and wisdom, as much more likely to produce good effects than the present conduct of ministers, and asked, if after all they had done they did not succeed, where they might be expected to stop? Next year they might probably find themselves in a similar, if not in a worse situation; and they must go on with some further infringement upon the constitution, for being once embarked in this sea of innovation, there could be no guessing where their revolutionary system may end. It was neither with Robespierre nor Barrere that the French Revolution began; they would all recollect the virtuous Duke de Rochefoucault; but how far the revolutionary system had carried France from his wishes or thoughts, at first, was a subject of regret and abhorrence. He dwelt, for a considerable time, with



great ability, on the dangerous tendency and consequences of unnecessary innovation, either in producing anarchy or despotism, equally destructive to the real liberties of mankind. He spoke pathetically of the sufferings of Poland and of France, from the revolutionary system, particularly the former, which must excite the sympathy and compassion of every free and generous people. He came next to consider what had been said about the real intention of those societies not being for a reform in Parliament, and quoted some passages from Mr. Burke's letter to his constituents at Bristol, almost in the same language, and precisely the same in substance as the arguments used in the papers of those societies, but what might then be thought good and praiseworthy, from that grave, orthodox political divine at that time, ought now to be reckoned treason from those societies. He then noticed the precedent of 1777, when the Bill then brought into Parliament, only affected a particular description of persons specified therein, and did not go a step further than the exigency of the case required. In the present instance, as all the mischief must come from the few hundreds who belong to those societies and clubs, the operation of the Bill ought only to extend to them; this would have been an effectual remedy, had their purpose been only to meet the real evil with an adequate remedy, but that could not have answered their other purposes of deluding the people as they had done all along, respecting the war; they never had been able to shew any reason why it was improper to treat or negotiate for a peace, and therefore it was necessary to keep a constant alarm in the minds of the people, and by addressing their passions, to lull their reason and reflection asleep. He remarked that two letters, one to the Society of the Friends of the People, and their Answer, had been inserted in the Report, A Society to which he and many of his friends had the honour to belong, which though the Secretary of State had not taken the least notice of, yet it was clearly the meaning of Ministers by placing them there, to throw upon that society some degree of obloquy, which they had no probability of proving that they merited. A society which he would say had no disposition to imitate their apostacy, but would, as long as they were able, endeavour to obtain by legal and constitutional means the important object for which they associated. He reprobated in very pointed terms the system pursued by Ministers, as similar

to the conduct pursued in France, and equally destructive; and he argued the worse from the sudden starts they were making from one innovation to another, upon flimsy pretexts, to answer the worst of purposes. He contended that an open, bold, and manly conduct, was best suited to the constitution of this country, and that Ministers, by spreading false alarms and creating terror, had abandoned the example of our ancestors, and adopted what must lead to the disgrace and ruin of the country. He proved by the strongest reasoning, that the system of terror of the rulers had ruined France—the overthrow of Danton's party, the massacres of the 10th of August, and the death of the unfortunate King. He again mentioned the Alien Bill, Traiterous Correspondence Bill, and the whole of the system for the last two years, as proceeding from terror, being only conducted by creating such a fear in the people as misled them to believe those unconstitutional measures necessary. Having concluded his arguments against the Bill, which he delivered with great animation and eloquence, the Noble Earl founded the Motion he was about to make upon the 26th standing order of the House, which is, that no Bill can be read twice on the same day that it had been brought in—this, like every other standing order, cannot be dispensed with, unless by the unanimous concurrence of the House; but if any Member move that a standing order be read, it cannot be dispensed with; this, coupled with the precedent in 1722, on this order, induced him to move, "That the House do now adjourn."—He desired the order to be read.

Lord GRENVILLE said, the precedent in 1722, was an answer to the Noble Lord's observation, for it was then stated, that it being objected to read the Bill a second time, the House after a debate came to an Unanimous Resolution, to dispense with the standing order, and the Bill was read a second time.

The Earl of LAUDERDALE said, that the precedent did not shew that the debate had been about dispensing with the standing order, but that after a debate upon the second reading of the Bill, it had been unanimously agreed to dispense with the order.

The Earl of ABINGDON said he had disapproved of the suspension of the Habeas Corpus Act during the American war, and he approved of the suspension now proposed. We were then making war on our friends and our brethren; we were now mak-

ing war against original sin, against our natural enemies, against men who were the enemies of God and Nature.

The Earl of MANSFIELD remarked on the obscurity of the persons who composed the Societies, as a circumstance that would render the success of their intentions more dreadful. He had much confidence in the good sense of the people of this country, and their attachment to the Constitution, but the question for their Lordships to consider was "Would they nip the seeds of anarchy in the bud, or suffer them to be blown abroad by every wind—would they smother the flame on its first appearance, or suffer it to blaze into a conflagration?" Under such circumstances as the present, it was not walls and towns, it was not fleets and armies that constituted the defence of a nation, but the vigilance of the Executive Government. If we looked to the horrors which France presented to our view, was it terror that had occasioned the commission of the unexampled atrocities in that unhappy kingdom? Was it terror that provoked the murder of their Sovereign? Was it terror that had just instigated them to the murder of a Princess (Madame Elizabeth) who, to all the softer virtues of her sex, added patience and fortitude that would have done honour to the most heroic times? Our measures of precaution were not to be calculated on the probability of ultimate success, but on the magnitude of the evil with which we were threatened. Let their Lordships figure to themselves a Convention, such as the Societies proposed to assemble, usurping an authority paramount to that of Parliament. Happy, in such a case would be the lot of that man who should be the first to fall by the English Guillotine, for he would have the consolation of knowing that he was to be buried in the same grave with the Constitution—To their Lordships it would be irreparable ruin. Notwithstanding all that, in season or out of season, was asserted to the contrary, he still hoped that we should be able to restore order and government in France; but if we should not, and confusion should take place in this country, to whom could their Lordships apply for assistance or relief? To the Jacobins in France? The security of other Noble Lords was to him an additional ground of fear; for if they were all equally convinced of the danger, they would all be equally zealous to guard against it. On the charge against Ministers, so often repeated, after the declarations of both Houses of Parliament to the con-

trary, that they had wantonly involved the country in a war, he should only observe, that persons once high in the esteem of those who made the charge, had claimed the exclusive merit. In a case of murder, would it be fair to accuse any other person, when an honourable man stood forward and said *ad summi peccati*?

The Earl of CAERNARVON said he had as good a right to infer danger from the intrepidity of Noble Lords who opposed the measure, as they to infer danger from his alarms. They seemed to argue as if no case could exist that would justify the suspension of the Habeas Corpus Act; yet they admitted that it had been properly suspended on former occasions—in rebellion or threatened invasion. On such occasions, a suspension of the Habeas Corpus Act was not the proper defence; they called for arms and artillery. To domestic conspiracy, and attempts to propagate secret poison, it was the fit remedy.—The virtues of the Constitution ought not to avail those who were compassing its destruction. The existence of a conspiracy was fully proved by the language of the Societies. They complained not only of Parliament, but of the Executive Government, and therefore must wish to demolish the whole frame of the Constitution. The Report of the Committee said, and he believed on good grounds, that they had been, and still were preparing to distribute arms among those whom they could bring over to their designs.

The Earl of DERBY said, it had never been contended that no case could exist, which would justify the suspension of the Habeas Corpus Act, but only that a case had not been made out in the present instance which would justify such an encroachment on the rights of the subject. The noble Lord who spoke last, seemed to think that the less the danger the stronger must be the measure of precaution. If so every fence of the Constitution might be broken down, and should the fortunate period ever arrive when there was no danger whatever, not an atom of it would be left. The news of the day from France had been alluded to.—No man could more regret than he the degradation which human nature suffered by such acts, but he could not see how the mention of them had any relation to the question in debate. A Noble and Learned Lord (Thurlow) had said, that all the facts stated in the Report were highly seditious, but did not amount to Treason. If they were only seditious, was not the ordinary



power of law sufficient to punish and repress them. The persons charged with those acts were now in custody; where was then the necessity of new powers to bring them to justice, or to prevent them from doing future mischief? This surely was a proof that danger, whatever it might have been, was now at an end. The Noble Secretary of State, for the benefit of his argument, had dwelt on the numbers assembled at Chalk Farm. But did he mean to say, that all the persons who happened to be present were implicated in the purposes of the meeting. He could not but know that in the neighbourhood of London, a very few persons would soon collect a mob of several hundreds merely to see what was going forward. That the Societies were preparing to distribute arms, was stated even in the Report as a mere presumption, unsupported by any shadow of proof. For these reasons, he deprecated a measure which he considered as called for by no adequate cause, and as an attack upon the Constitution. His enquiries had fully satisfied his mind upon the subject, and whether he acted with the majority or the minority, with ten or with twenty, it was the same to his conscience. He feared no calumny, for he defied any man to quote an action of his that was hostile to the system of liberty protected by law under which we enjoyed so many blessings.

The Earl of CARLISLE said, the Learned Lord (Thurlow) had gone no farther than to say, that the facts stated in the Report were seditious in the highest degree; but whether they amounted to Treason or not, it would be cruel to declare till they came to be decided on by a Jury. He entered into the reasons that had induced him to give his poor support to Ministers; reminded their Lordships of the small beginnings from which Lord George Gordon's mobs had grown to such a height; and defended the Bill as essential to the Safety of the Constitution.

The Marquis of TOWNSHEND said, that in his opinion it was safer in a moment of emergency like the present, to confide powers in the Executive Government, than to leave it to individuals to take measures for their own security. Government, however, ought to be, and in his opinion they were responsible for the use which they made of these powers; on this view he acquiesced in the present measure.

The Marquis of LANSDOWNE said, that it was the practice of all wise men to examine their measure

and he recommended to their Lordships to examine the question of adjournment by that test. If ever a standing order deserved to be made into a law, it was that order which regulated the course of their proceedings, and gave to the people time to see and consider of the measures passing through the House, so as to enable them to come forward and assist Parliament with their advice. What possible inconvenience could there be in the delay of a day? Suppose that the City of London should come up with a petition to their bar, would it not be for the interest of the kingdom that they should have the opinion of that respectable body? Ministers might perhaps wish to get rid of such opinion, as it was suspected not to be so favourable to their views as it was last year; but surely Parliament ought, from considerations of prudence, as well as regard to their own dignity, to deliberate on a measure of such importance, and not to debar the people from presenting their petitions against it.—There could be no cause for precipitation. The principal persons engaged in the terrible conspiracy, he supposed were already taken up: They could not escape; and there had been no tumult on the occasion; no attempt had been made to rescue them; no Habeas Corpus ever had been moved for, and there was no appearance in any part of the country, to justify the haste of their proceeding.—They should examine the precedents which were brought forward as grounds for the present measure by reason; and he would venture to say that there was not one which would be found to justify the act by being in point. It was ridiculous to say that there was a precedent in this reign and in that reign, because in this or that, the Habeas Corpus had been suspended. They might as well try to justify the present disastrous war by saying, that there had been wars before: no, they must shew that the precedent was founded in similar circumstances. Such a precedent could not be adduced. There was always heretofore a dire and urgent necessity proved, either of rebellion, insurrection, or of a REAL ABSOLUTE NECESSITY, as was made manifest to the minds of all men. Was this the case here? No such thing. No cause had been stated to justify the measure; and a noble and learned Lord had wisely said, that to strengthen the magistracy was all that the circumstances of the country seemed to require. It had been said that revolutions always sprung from the people, as an argument for alarm at the

present, inconsiderable persons being engaged in reform. In his mind the very contrary was the fact. Our revolution was brought about by persons of rank, against the general opinion—and even in France, it was by leading men—by men of rank and condition, that the revolution was begun—by men who saw and felt the oppressions of the government—of that government who, indulging terror, had gone to most extraordinary lengths of irritation. Was the present measure either just or political? As to its justice, it had not at least been made manifest. Committees had been appointed in both Houses, composed of alarmers and alarmists. In former committees, impartial men had been placed, here they were all of one description, and their report was full of capital inaccuracies. It gave no information what the law could do—how far it could go to correct the existing evil, nor did it prove to the satisfaction of any thinking man, any real cause for such a measure. It talked of societies; he was ignorant of the societies; he knew nothing of them; but he looked at them with an eye of favour, as they seemed to be only sincerely desirous of obtaining a beneficial, and, namely, a reform in Parliament. They sought the same object as the society that met at the Thatched House in 1782, and if any reproach attached to the one body, the same, or even greater, attached to the other as the beginners. But what was the fact. The old Jacobins were persecuting the new. There was a vulgar proverb, which precisely described the parties, and applied to them. One set of men were best to catch another. A smuggler was the best man to set to catch smugglers. He would know all their tricks. He would suspect their practices by a consciousness of what he would have practised himself if he had not been admitted into a snug birth in the Customs—but though he was a proper person to catch his old companions, would you invest him with powers to attack and ruin the fair trader? And as to its policy, it was the general opinion of the country, that there should be a reform, it would be irresistible. If their grievances were real, they ought to be redressed, and that they had real grievances was certain, for the Commissioners of Accounts, appointed by Parliament itself, had reported on the enormous sinecures, expences, and burthensome offices of government. They had complained of barracks, and surely there had been a time since the revolution when the erection of barracks would not

have given alarm and uneasiness to the country. It was not polite to push men upon these subjects. They would grow desperate, if Ministers should thus go on, step by step, in encroaching upon their liberties. Then what was the benefit to be expected? That there should be no meetings for the discussion of popular subjects. Was that a state of society to be wished for? Was it wise to break the spirit, destroy the vigilance, and allay in the breasts of the people all zeal for the constitution? Emigrations had been too frequent of late, not merely of people, but of wealth, industry, and talents. They would not diminish under such measures. A law against conventions, as in Ireland, though a harsh measure, would have been milk and water to this; and seeing it in this view, he believed that they had other than their professed objects in their contemplation. They waited to train up herds of informers, as was done in the reign of Charles II. and even in that of King William and Mary, by whom men of another description from those now in gaol were to be attacked. What Bishop Burnet said of the informers and forgers of these times, when the hands of Peers were so dextrously imitated as to elude their own detection, ought to make them cautious of a measure that might generate the same tribe. They ought not, upon mere school language, to give up the great security of British freemen. For himself he entered a solemn protest against the measure, and as he might not be present again, against any further measure they might attempt of a similar kind. He deprecated the delusions they were holding out; they knew well whether there were arms hoarded up in the country. No quantity of arms could be procured without their knowledge. The trade would know of orders to any extent, and they were so connected with the trade that they would have immediate information. As to new-fashioned arms, and the dramatic representations of pulling out daggers from under their cloaks, it was too contemptible a manœuvre for the good sense of the country. He advised them to go upon a broader ground of wisdom, and upon a larger line of policy, if they meant to extricate the country from the dreadful abyss into which they had plunged it.

The Dukes of LEEDS read a quotation from an anonymous author on the measure in the year 1722 (one of the writers of Sir Robert Walpole), against persons professing an ill-timed concern



for the Constitution, and covering their opposition to a necessary law, under the thin veil of patriotism. The present measure was serious, and would be criminal but for the dire and urgent necessity. He owned himself an Alarmist of a long date; ever since the month of November 1792. He was convinced, that if they did not now arm Government with large powers, they would not long have any Habeas Corpus either to maintain or suspend.

The Lord CHANCELLOR said, he should not have occasion to go at much length into the question, as he had been so ably anticipate by other Lords. He would speak first as to the form and course of their proceedings. The precedent of 1722 was perfectly in point, only that so much pains had not been taken in giving to the House full information: truly whatever objection might be made, it could not be alledged that it had not been fully discussed—here had been much extraneous matter, but on the real point at issue there had been but little argument. After clearing away a vulgar error, that it was a suspension of the Habeas corpus Act, and that no action would lie for false imprisonment, that it was a full indemnity to Ministers for all acts, and gave them the power of Lettres de Cachet, and that it was a Revolutionary measure; there had been no contest about the principle. It had been admitted, that if there were a Convention, or a Meeting called by any other name, which aimed to give laws to Parliament and the Country, this measure would be wise and salutary. The only difference then between them was about the fact—whether these Societies did really aim so to give laws to the country, or merely meant a Parliamentary Reform. To prove that in his mind they meant nothing so little as a Parliamentary Reform, which he contended was tried, settled, and extinguished in 1781 and 1782, he went over all the documents in the Report—described the late British Convention in Edinburgh, before it was crushed by the vigour of the Magistrates, which was altogether on the French model, with their President, their bell, their citizens, &c. &c. and which had obviously the French model in view in their proceedings. Their numbers he could not ascertain. They probably exaggerated their number themselves. He did not think them numerous, but they were at least tenfold the number of those who began the riots in 1786. It was easy to treat as

imaginary, all dangers that were checked in the bud. One of the finest poets had said,

" Treasons are never own'd when but defcried

" Successful crimes alone are justified."

He concluded, therefore, with saying that he had no doubt but the House would see the necessity of placing the confidence in Ministers which this Bill designed, and that it was a seasonable measure of precaution to guard all that was sacred in the country.

The House then divided on the question of adjournment :

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It was then moved that the Bill be read a second time.

The Earl of LAUDERDALE expressed his hope that at so late an hour, (past two o'clock in the morning) they would not push this question further that night. It had been stated that they might likely receive a petition to-morrow. The standing order against reading a Bill twice on one day was not unknown to the people; what must not that House sacrifice in character and in opinion if they violated their own standing orders, in so marked a way, obviously to prevent the people from exercising their right of petitioning? Surely they would do more injury than they could obtain good by the hurry. The Noble and Learned Lord had said that the question of Parliamentary Reform was finally settled and put to sleep in 1781. He denied the fact. He was sure the Duke of Richmond would deny the fact. Mr. Wyvil would deny it. It was impossible to believe that the men whom Ministers had sent to the Tower could have entertained the absurd hope of overturning the Government, at a time when Government was so remarkably strong. There were among them some men of as brilliant abilities as any men now living, (and he wished that they had always directed their abilities to good ends) and they at least could not be suspected of the folly of a scheme so ridiculous and romantic. The noble and learned Lord had said that this would not prevent an action for false imprisonment. He knew that in 1715 it was understood that it did give complete indemnity to the Privy Council for all commitments—and he feared that this would be found to do the same. He conjured them therefore to go no further this night at least.

The Question was put, That the Bill be now read a second time, and carried in the affirmative.

It was then moved, That the Bill be now committed, and which being carried, the House went into a Committee of the whole House, the Earl of Cathcart, in the Chair, and went through the Bill.

The House being resumed, Lord Cathcart reported that they had gone through the Bill without amendments.

Earl STANHOPE then moved, That the House do now adjourn, and the Question being put, it was negatived.

It was then moved, That the Bill be now read a third time, and the House divided,

Contents, 92.—Not Contents, 7.

It was then moved, That the Bill do pass.—Ordered.

That a Message be sent to the House of Commons, acquainting them therewith.—Ordered.

Adjourned at past three in the morning.

#### PROTESTS

*Against the Bill for suspending the Habeas Corpus Act.*

DIO JOVIS, 22<sup>do</sup> MARI, 1794.

Moved, that the Bill intituled, "An Act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government," be read a first time:

The question was put thereupon.

It was resolved in the affirmative.

Then the said Bill was read the first time.

DISSENTIENT.

Because I abhor the idea of establishing a dangerous and unconstitutional system of *Lettres de Cachet* in this country.

STANHOPE.

DIO JOVIS, 22<sup>do</sup> MARI, 1794.

Moved, That the Habeas Corpus Suspension Bill be read the third time.

Read accordingly.

The question was put, "Whether this Bill shall pass?"

Contents, 95.—Not Contents, 7.

Resolved in the affirmative.

## DISSENTIENT,

1<sup>st</sup>, Because no evidence has been laid before us, that this kingdom is at present in those circumstances of imminent danger and imperious necessity which alone, in our opinion, would justify even the temporary surrender of that sacred fundamental law, which is the sole guardian of the personal liberty, and security of our fellow-subjects. None of these circumstances, either of foreign invasion or of domestic insurrection, or of formidable conspiracy, now exist, which induced our ancestors to commit their liberties to the perilous guardianship of a despotical authority. Instead of such an unequivocal public danger, which silences all deliberations and over-rules all laws, we are now required to vest an arbitrary power in his Majesty's Ministers upon the authority of a detail of the offences of individuals of societies, whose strength and numbers are not proved to our apprehension to be such as would justify such a measure as the present, especially as the ordinary operations of the Law is sufficient to check the spirit which is supposed to prevail. One of the worst effects of the conduct of these societies is their having operated as the instrument for former artificial panics, and as a pretext for former measures, in our opinion the most hazardous and pernicious. They continued the same conduct without injury experienced by the public, without accession of strength, without the proof of any change in their systems or designs. We cannot therefore without betraying the trust reposed in us, consent to resign the liberties of all our fellow-subjects to the discretion of the servants of the Crown, on no better ground than that of a catalogue of offences which have been long notorious to the whole kingdom.

2<sup>dly</sup>, Because even the proof that some individuals entertain of those desperate designs which have been ascribed to them would not, in our opinion, form any justification of the present measure. From the Revolution to the complete defeat of the pretensions of the House of Stuart, the wisdom of our ancestors did not deem the existence of a zealous, powerful, and indefatigable Jacobite party a sufficient reason, without overt acts of rebellion, or actual existing conspiracy for subjecting the personal liberty of the whole kingdom to the will of ministers. Miserable indeed, and precarious is our condition, if, at the pleasure of a handful of visionaries and incendiaries, (characters which every age produces, and disguises which the agents of



every government may assume), our liberties are to be laid under a legal interdict, and Ministers are to be vested with an arbitrary power over the persons of all the freemen of this realm.

*3dly*, Because, even if the danger had been as real and imminent as is pretended, it might have been provided against by measures far less odious than that of depriving the subject of those rights of personal security which distinguishes the British Constitution beyond any other free Government ancient or modern and changing it for the time from a Government of law to a Government of will. One expedient, comparatively more moderate, is obvious, namely, to put the law respecting bail for misdemeanours which affect the State for a limited time on the same footing with bail in cases of treason.

*4thly*, Because this Bill appears to us, under a still more melancholy and alarming aspect, when we combine it with declarations which have been made by considerable persons during the dependence of this Bill. Even this, the utmost extremity to which our ancestors were ever driven, by the pressure of the greatest danger, is but the prelude to a system of measures (if possible) still more violent and arbitrary. These menaces too forcibly illustrated by some past measures, in our opinion of a rigour equally impolitic and odious, fill us with the most melancholy apprehensions that designs are entertained by a progressive series of encroachments, to annihilate all the rights of Englishmen, and to extinguish all the free principles of the British Constitution.

*5thly*, Because the precipitation with which this Bill has been hurried through the House is both indecent in itself, and directly repugnant to two standing orders of this House, one of the 28th of June, 1715, and the other of the 28th April, 1699, standing orders which insure to this House the advantages of mature deliberation, and to the subject the invaluable privilege of petitioning against measures which, like the present, are subversive of his fundamental rights.

ALBERMARLE, BEDFORD,  
LAUDERDALE, DERBY.

*The following Noble Peers were the Minority, in the Division on Thursday, May 22d, against the Bill for suspending the Habeas Corpus Act.*

The Duke of Bedford.	Earl of Lauderdale.	Earl of Egmont.
Marquis of Lansdowne.	Earl of Albemarle.	Earl of Thanet.
Earl of Derby.	Earl Stanhope.	Lord St. John.

PROXIES.

Duke of Grafton.	Lord Chedworth.
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THE END.

